

Planning and Rights of Way Panel (EAST)

Tuesday, 4th August, 2015
at 6.00 pm

PLEASE NOTE TIME OF MEETING

Council Chamber

This meeting is open to the public

Members

Councillor Denness (Chair)
Councillor Tucker (Vice-Chair)
Councillor Coombs
Councillor Hecks
Councillor Wilkinson

Contacts

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PUBLIC INFORMATION

Role of the Planning and Rights of Way Panel

The Panel deals with various planning and rights of way functions. It determines planning applications and is consulted on proposals for the draft development plan.

Public Representations

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Southampton City Council's Priorities

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

Smoking policy – The Council operates a no-smoking policy in all civic buildings

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting

Fire Procedure – In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2014/15

Planning and Rights of Way - EAST	
2015	2016
23 June 2015	19 January 2016
4 August	1 March
15 September	12 April
27 October	
8 December	

Planning and Rights of Way - WEST	
2015	2016
2 June 2015	9 February 2016
14 July	22 March
25 August	3 May
6 October	
17 November	
22 December	

CONDUCT OF MEETING

Terms of Reference

The terms of reference of the Planning and Rights of Way Panel are contained in Part 3 (Schedule 2) of the Council's Constitution

Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

Rules of Procedure

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

Quorum

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are available via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

(Pages 1 - 12)

To approve and sign as a correct record the Minutes of the meeting held on 23 June 2015 and to deal with any matters arising, attached.

CONSIDERATION OF PLANNING APPLICATIONS

5 VACANT SITE AT TEST LANE, 14/01911/FUL (Pages 17 - 60)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

6 LAND OPPOSITE 69-73 WHITWORTH CRESCENT, 14/01431/FUL (Pages 61 - 82)

Report of the Planning and Development Manager recommending that delegated authority be granted in respect of an application for a proposed development at the above address, attached.

7 BOLDREWOOD CAMPUS, 15/01025/FUL (Pages 83 - 124)

Report of the Planning and Development Manager recommending that conditional approval be granted in respect of an application for a proposed development at the above address, attached.

8 225 PORTSWOOD ROAD, 15/01285/FUL (Pages 125 - 136)

Report of the Planning and Development Manager recommending that conditional approval be granted in respect of an application for a proposed development at the above address, attached.

9 **18 CAVENDISH GROVE, 15/01330/FUL** (Pages 137 - 148)

Report of the Planning and Development Manager recommending that conditional approval be granted in respect of an application for a proposed development at the above address, attached.

10 **LAND ADJACENT TO 153 ATHELSTAN ROAD, 15/01346/FUL** (Pages 149 - 168)

Report of the Planning and Development Manager recommending that conditional approval be granted in respect of an application for a proposed development at the above address, attached.

MONDAY, 27 JULY 2015

HEAD OF LEGAL AND DEMOCRATIC SERVICES

PLANNING AND RIGHTS OF WAY PANEL (EAST)
MINUTES OF THE MEETING HELD ON 23 JUNE 2015

Present: Councillors Denness (Chair)(except Minute Number 6), Hecks, Tucker, Coombs and Wilkinson

1. **ELECTION OF VICE CHAIR**

RESOLVED that Councillor Tucker be elected as Vice-Chair for the 2015/2016 Municipal Year.

2. **STATEMENT FROM THE CHAIR**

On behalf of the Panel the Chair welcomed the newly appointed Planning and Development Manager, Samuel Fox, to the meeting.

3. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the Minutes of the meeting held on 5 May 2015 be approved and signed as a correct record.

4. **BITTERNE PARK PRIMARY SCHOOL, 15/00273/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Demolition of part of existing school boundary wall, enclosure of existing playing field with new gates and fence (height 2.1m), stopping up of the existing footpath and diversion to new route around perimeter of the fence.

Mrs MacGillivray (Friends of Riverside Park/objecting), Mrs Maugy, Mr Martin, Mr Cooper, Mrs Bennett and Mr Hutchings (Local Residents/objecting), Councillor White (Ward Councillor/objecting), Mr Whitehead (Chair of Bitterne Park Primary School Governors), Mr Bean (Estates Manager, Bitterne Park Primary School) and Mrs Ward (Local Resident/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:-

- (i) the Community Use Agreement had been through consultation with the Friends of Bitterne Park, SCAPPS and Ward Councillors and no objections had been received to the latest version; and
- (ii) the School had provided a letter in response to the objection from Sport England which would be included in the referral to the National Planning Casework Unit.

RESOLVED that authority be delegated to the Planning and Development Manager to grant planning permission subject to the amended conditions set out below and the following:-

- (i) secure the Community Use Agreement to inform condition 02; and
- (ii) refer the application to the National Planning Casework Unit in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 following the objection from Sport England.

Amended Conditions

02. APPROVAL CONDITION - Community Use Agreement

Access to the playing fields enclosed by the fencing and gates hereby approved shall be provided in accordance with the details of the agreed Community Use Agreement dated.....*(to be updated before decision is issued on receipt of signed, dated and sealed community use agreement)*.

Reason:

To ensure the enclosed playing fields remain available to the community outside of school hours.

08. APPROVAL CONDITION - Landscaping detailed plan [Pre-Commencement Condition]

Before the commencement of any site works a detailed landscaping scheme and implementation timetable, which clearly indicates the numbers, planting densities, types, planting size and species of trees and shrubs to be planted, and treatment of hard surfaced areas, shall be submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall specify all trees to be retained and to be lost and shall provide an accurate tree survey with full justification for the retention of trees or their loss. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance) to ensure a suitable environment is provided on the site.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved scheme shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

09. APPROVAL CONDITION - Arboricultural Method Statement [Pre-Commencement Condition]

No operation in connection with the development hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:-

1. A specification for the location and erection of protective fencing around all vegetation to be retained.
2. Specification for the installation of any additional root protection measures.
3. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
4. Specification for the construction of hard surfaces where they impinge on tree roots.
5. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles.
6. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures.
7. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.

Reason:

To ensure that provision has been made for trees to be retained and adequately protected throughout the construction period.

5. **FORMER OAKLANDS SCHOOL, 15/00340/OUT**

The Panel noted that as a result of a late communication from National England, the application had been withdrawn from today's agenda in order that more work could be undertaken on an appropriate assessment.

6. **366-368 SHIRLEY ROAD, 14/01608/FUL**

COUNCILLOR TUCKER IN THE CHAIR

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Redevelopment of the site. demolition of the existing buildings and erection of two, three and four-storey buildings to provide 49 dwellings (five X one-bedroom, 17 X two-

bedroom, 20 X three-bedroom, seven X four-bedroom) and a car sales showroom with vehicular access from Villiers Road.

Councillor Furnell (Ward Councillor/objecting) and Mr Hodder (Agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:-

- (i) since writing the report one additional representation had been received from Royal Mail and that all points raised by them had been fully taken into account within the report; and
- (ii) an amendment had been made to the recommendation to include the receipt of a tracking diagram to prove that a refuse collection vehicle can turn on site and there was an additional Head of Term 2 (vii) to the Section 106 Legal Agreement.

RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement with an additional Head of Term 2 (vii), the receipt of a tracking diagram to prove that a refuse collection vehicle can turn on site, the conditions listed in the report and the amended conditions as set out below;
- (ii) that in the event that the legal agreement is not completed within two months of the Panel meeting date the Planning and Development Manger be authorised to refuse permission on the grounds of failure to secure the provisions of the Section 106 Legal Agreement; and
- (iii) that the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 Agreement and/or conditions as necessary.

Additional Head of Term 2 (vii) to the Section 106 Legal Agreement to read:

Car Parking Restriction. An obligation precluding future residents of the flats receiving car parking permits for the adjoining Controlled Parking Zones.

Amended Conditions

Amend Condition 01 to allow 5 years for implementation.

01 APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than **five** years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Reword condition 12: not 1 for 1 parking but 48 parking spaces to be provided for the residents of the scheme and 2 for the operators of the car sales business:

12 APPROVAL CONDITION – Layout of Car Parking/Serviceing (residential use) (Pre-Occupation Condition)

The whole of the car parking, footways (including the undercroft access through the site) and road access/serviceing facilities to be provided for residential use shown on the approved plans shall be laid out and made available before residential occupation of the development hereby approved and thereafter retained solely for the use of the occupants and visitors to the site and for no other purpose. No more than two disabled car parking bays are necessary and thus revised parking layout can be submitted to demonstrate an alternative parking arrangement increasing the number of parking spaces provided. If an alternative parking arrangement is chosen amended plans must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development., once approved the development must take place in accordance with the agreed details and the on-site parking shall be allocated **with 48 being provided for residential purposes and 2 parking spaces being provided for use by the commercial unit on site.**

Reason:

To ensure adequate on-site parking and serviceing facilities and to avoid congestion in the adjoining highway

RECORDED VOTE to grant planning permission.

FOR: Councillors Tucker, Coombs and Wilkinson

AGAINST: Councillor Hecks

NOTE: Councillor Denness declared a personal interest in the above application and withdrew from the meeting for the consideration of this item.

7. FORMER MERIDIAN BROADCASTING SITE, RADCLIFFE ROAD, 14/01747/OUT

COUNCILLOR DENNESS IN THE CHAIR

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an outline application for a proposed development at the above address.

Redevelopment of the site to provide 351 dwellings (145 x one bedroom, 174 x two bedroom, 32 x three bedroom) within buildings ranging in height from two-storeys to 13-storeys with retail use (Class A1 - 390 sq.m. floor space), offices (Class B1 - 108 sq.m. floor space); 363 car parking spaces; improved access from Radcliffe Road and Summers Street; landscaping and an extension of the local park to the waterfront; a new waterfront walkway associated with flood defence measures (Outline application seeking approval for access, layout, scale and landscaping).

Mr Linecar (Southampton Commons and Parks Protection Society (SCAPPS)/objecting), Mark Luken (Agent) and Councillor Burke (Ward

Councillor/supporting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that there were changes to recommendation 2 (i) and an additional Head of Term 2 (xii) to the Section 106 Legal Agreement.

RESOLVED

- (i) that the Panel confirmed the Habitats Regulation Assessment in Appendix 2 of the report;
- (ii) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement with an additional Head of Term 2 (xii), an amendment to recommendation 2 (i), the conditions listed in the report and the amended condition set out below;
- (iii) that in the event that a legal agreement is not completed within two months of the Panel meeting date the Planning and Development Manager be authorised to refuse permission on the grounds of failure to secure the provisions of the Section 106 Legal Agreement; and
- (iv) that the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 Agreement and/or conditions as necessary.

Amendment to Recommendation 2 (i) to read:

Financial contributions **and other measures** towards site specific Transport improvements in the vicinity of the site, **to include traffic surveys to assess the impact on the Northam Estate and restrictions on parking permits for future residents** in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).

Additional Head of Term 2 (xii) to the Section 106 Legal Agreement to read:

Provision of on-site play space and improvements to existing facilities.

Amended Condition

15. APPROVAL CONDITION - No Pile Driving for Foundations [Performance Condition]

No percussion or impact driven piling activities shall take place for pre-works, foundations, or as any part of the development.

Reason:

In the interests of securing the stability of the site and adjacent land in order to protect the amenities of occupiers of nearby properties.

8. **HARCOURT MANSIONS, 74 WHITWORTH CRESCENT, 15/00610/FUL**

The Panel considered the report of the Planning and Development Manager recommending delegated authority be granted in respect of an application for a proposed development at the above address.

Erection of a part three-storey, part two-storey building to create two x three-bed houses, one x two-bed house and six x two-bed flats with associated parking and cycle/refuse storage

Mrs MacGillivray and Mr Whyte (Local Residents/objecting), Councillor Inglis (Ward Councillor/objecting) and Mr Donohue (Agent) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that since the report had been published:-

- (i) five objections had been received (two of which were petitions);
- (ii) one petition had 56 signatories in relation to car parking;
- (iii) one petition had 62 signatories in relation to the impact on trees;
- (iv) the only material planning consideration raised that had not been addressed in the report related to the parking of construction vehicles and current condition 22 was amended to become a construction management condition to include parking of construction related vehicles; and
- (v) no objection had been raised in relation to the tree consultation that had been received and an additional condition was added regarding arboricultural protection measures.

RESOLVED

- (i) that authority be delegated to the Planning and Development Manager to grant planning permission subject to the completion of a Section 106 Legal Agreement, the conditions listed in the report and the amended and additional conditions set out below;
- (ii) that in the event that the legal agreement is not completed within two months of the Panel meeting date the Planning and Development Manger be authorised to refuse permission on the grounds of failure to secure the provisions of the Section 106 Legal Agreement; and
- (iii) that the Planning and Development Manager be given delegated powers to add, vary and/or delete relevant parts of the Section 106 Agreement and/or conditions as necessary.

Amended Condition

Amend current condition 22 to become a construction management condition to include parking of construction related vehicles.

APPROVAL CONDITION – Construction Method Statement (CMS)

Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority making provision for a “Construction Method Statement” (CMS) for the development. The CMS shall include details of:-

- a) Parking of vehicles of site personnel, operatives and visitors;
- b) Any site compound details and contractor’s cabins/office;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials, including cement mixing and washings, used in constructing the development;
- e) Treatment of all relevant pedestrian routes and highways within the site throughout the course of construction and their reinstatement where necessary;
- f) A scheme for the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- g) A scheme for recycling waste resulting from the construction programme;
- h) details of lorry routing
- i) Measures to be used for the suppression of dust and dirt throughout the course of construction;
- j) Measures for the cleaning of wheels and the under chassis of lorries leaving the site;
- k) Details of how noise and vibration emanating from the site during construction will be mitigated;
- l) A "hotline" telephone number and email address shall be provided for the use of residents in the case of problems being experienced from demolition and construction works on the site. The phone line will be provided, managed and problems dealt with by a person or persons to be nominated by the developer and shall operate throughout the entire development period;
- m) The methods of supervision to ensure that workers have knowledge of the method statement;

The approved CMS shall also include proposals to monitor these measures (as set out above) at the site boundary to ensure that a statutory nuisance does not arise beyond the site boundary, and shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

Additional Condition

APPROVAL CONDITION - Arboricultural Protection Measures [Pre-Commencement Condition]

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

Reason:

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees on site.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Coombs and Tucker
 AGAINST: Councillors Hecks and Wilkinson

9. **216 OAKWOOD DRIVE, 15/00271/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Change of use from dwelling house (C3 Use) to flexible use as a dwelling (C3) or House of Multiple Occupation (C4).

Mr Longhurst (Chairman of Lordswood Residents' Association/objecting) and Councillors Thomas and Morrell (Ward Councillors/objecting) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported the following amendments:-

- (i) Councillor Morrell had referred the application to the Planning and Rights of Way Panel. This was missed off the panel report;
- (ii) the location plan in the panel report was incorrect. This showed the red line drawn around the property at no.222 Oakwood Drive and not no.216 Oakwood Drive. The panel were advised that the correct location plan was shown in the panel presentation; and
- (iii) a line of text was missing from paragraph 5.19 of the panel report. This should have outlined concerns raised in representations relating to inadequate refuse storage.

RESOLVED that planning permission be granted subject to the conditions in the report.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Coombs and Tucker
 AGAINST: Councillors Hecks and Wilkinson.

10. **86 WATERLOO ROAD, 15/00298/FUL**

The Panel considered the report of the Planning and Development Manager recommending conditional approval be granted in respect of an application for a proposed development at the above address.

Change of use of existing dwelling to flexible use as either a dwelling (C3 use) or House in Multiple Occupation (C4 use).

Councillor Moulton (Ward Councillor/objecting), Mr McDermot (Agent) and Mr Whatmough (Applicant) were present and with the consent of the Chair, addressed the meeting.

The presenting officer reported that:-

- (i) there was a mistake in the panel report. Paragraph 2.1 of this report refers to a total of seven bedrooms (five bedrooms at first floor level and two within the roof space). This is incorrect and should refer to a total of six bedrooms (four at first floor level and two within the roof space); and
- (ii) an appeal against a previous decision at this site was issued on the 19th June 2015. This previous application (ref.14/01707/FUL) sought permission for the change of use of the property from a dwelling house (Class C3) to a flexible use of either a dwelling house (Class C3), a House in Multiple Occupation (Class C4) or a large House in Multiple Occupation for more than six people. This was refused under delegated powers due to the impact of the sui generis HMO use on the residential amenities of neighbouring occupiers and on the character of the area. The appeal against this decision (ref.APP/D1780/W/15/3005455) was dismissed.

RESOLVED that planning permission be granted subject to the conditions in the report and the additional condition set out below.

Additional Condition

5. APPROVAL CONDITION - Room restrictions [Performance Condition]

The ground floor rooms annotated on the submitted floor plans as the lounge, kitchen and dining room and the first floor room annotated on the submitted floor plans as the study shall remain as communal space for the occupiers of the dwelling throughout the occupation of the building as a Class C4 HMO and shall at no time be used as bedrooms unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

To maintain sufficient residential environment for occupiers and to ensure that there is not intensification of use of the site as a whole.

RECORDED VOTE to grant planning permission.

FOR: Councillors Denness, Coombs and Tucker

AGAINST: Councillor Wilkinson

ABSTAINED: Councillor Hecks

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**INDEX OF PLANNING APPLICATIONS FOR DECISION
PLANNING AND RIGHTS OF WAY PANEL (EAST)**

DATE: 4th August 2015 - 6pm , Council Chamber, 1st Floor, Civic Centre

Main Agenda Item Number	Officer	Recommendation	PSA	Application Number / Site Address
	RP	DEL	15	14/01911/FUL Vacant Site At Test Lane
	AL	DEL	5	14/01431/FUL Land Opposite 69-73 Whitworth Crescent
	SH	CAP	15	15/01025/FUL Boldrewood Campus
	KA/JT	CAP	5	15/01285/FUL 225 Portswood Road
	AT/JT	CAP	5	15/01330/FUL 18 Cavendish Grove
	JT	CAP	5	15/01346/FUL Land Adjacent to 153 Athelstan Road

PSA – Public Speaking Allowance (mins); CAP - Approve with Conditions: DEL - Delegate to Officers: PER - Approve without Conditions: REF – Refusal: TCON – Temporary Consent: NOBJ – No objection

SH – Stephen Harrison
AL – Anna Lee

JT – Jenna Turner
KA – Kieran Amery

RP – Richard Plume
AT – Amber Trueman

Southampton City Council - Planning and Rights of Way Panel

Report of Planning & Development Manager

Local Government (Access to Information) Act 1985

Index of Documents referred to in the preparation of reports on Planning

Applications:

Background Papers

1. Documents specifically related to the application
 - (a) Application forms, plans, supporting documents, reports and covering letters
 - (b) Relevant planning history
 - (c) Response to consultation requests
 - (d) Representations made by interested parties

2. Statutory Plans
 - (a) Hampshire, Portsmouth, Southampton and New Forest National Park Minerals and Waste Plan (Adopted 2013)
 - (b) Amended City of Southampton Local Plan Review (Adopted March 2015)
 - (c) Local Transport Plan 2006 – 2011 (June 2006)
 - (d) Amended City of Southampton Local Development Framework – Core Strategy (inc. Partial Review) (adopted March 2015)
 - (e) Adopted City Centre Action Plan (2015)
 - (f) Community Infrastructure Levy Charging Schedule (2013)

3. Statutory Plans in Preparation
 - (a) Emerging Bassett Neighbourhood Plan (Post Examination) (2015)

4. Policies and Briefs published and adopted by Southampton City Council
 - (a) Old Town Development Strategy (2004)
 - (b) Public Art Strategy
 - (c) North South Spine Strategy (2004)
 - (d) Southampton City Centre Development Design Guide (2004)
 - (e) Streetscape Manual (2005)
 - (f) Residential Design Guide (2006)
 - (g) Developer Contributions SPD (September 2013)
 - (h) Greening the City - (Shoreburs; Lordsdale; Weston; Rollesbrook Valley; Bassett Wood and Lordswood Greenways) - 1985-1995.
 - (i) Women in the Planned Environment (1994)
 - (j) Advertisement Control Brief and Strategy (1991)
 - (k) Biodiversity Action Plan (2009)
 - (l) Economic Development Strategy (1996)
 - (m) Test Lane (1984)
 - (n) Itchen Valley Strategy (1993)

- (o) Portswood Residents' Gardens Conservation Area Character Appraisal (1999)
- (p) Land between Aldermoor Road and Worston Road Development Brief Character Appraisal(1997)
- (q) The Bevois Corridor Urban Design Framework (1998)
- (r) Southampton City Centre Urban Design Strategy (2000)
- (s) St Mary's Place Development Brief (2001)
- (t) Ascupart Street Development Brief (2001)
- (u) Woolston Riverside Development Brief (2004)
- (v) West Quay Phase 3 Development Brief (2001)
- (w) Northern Above Bar Development Brief (2002)
- (x) Design Guidance for the Uplands Estate (Highfield) Conservation Area (1993)
- (y) Design Guidance for the Ethelburt Avenue (Bassett Green Estate) Conservation Area (1993)
- (z) Canute Road Conservation Area Character Appraisal (1996)
- (aa) The Avenue Conservation Area Character Appraisal (1997)
- (bb) St James Road Conservation Area Character Appraisal (1996)
- (cc) Banister Park Character Appraisal (1991)*
- (dd) Bassett Avenue Character Appraisal (1982)*
- (ee) Howard Road Character Appraisal (1991) *
- (ff) Lower Freemantle Character Appraisal (1981) *
- (gg) Mid Freemantle Character Appraisal (1982)*
- (hh) Westridge Road Character Appraisal (1989) *
- (ii) Westwood Park Character Appraisal (1981) *
- (jj) Cranbury Place Character Appraisal (1988) *
- (kk) Carlton Crescent Character Appraisal (1988) *
- (ll) Old Town Conservation Area Character Appraisal (1974) *
- (mm) Oxford Street Conservation Area Character Appraisal (1982) *
- (nn) Bassett Green Village Character Appraisal (1987)
- (oo) Old Woolston and St Annes Road Character Appraisal (1988)
- (pp) Northam Road Area Improvement Strategy (1987)*
- (qq) Houses in Multiple Occupation (2012)
- (rr) Vyse Lane/ 58 French Street (1990)*
- (ss) Tauntons College Highfield Road Development Guidelines (1993)*
- (tt) Old Woolston Development Control Brief (1974)*
- (uu) City Centre Characterisation Appraisal (2009)
- (vv) Parking standards (2011)

* NB – Policies in these documents superseded by the Residential Design Guide (September 2006, page 10), albeit character appraisal sections still to be had regard to.

5. Documents relating to Highways and Traffic

- (a) Hampshire C.C. - Movement and Access in Residential Areas
- (b) Hampshire C.C. - Safety Audit Handbook
- (c) Southampton C.C. - Cycling Plan (June 2000)
- (d) Southampton C.C. - Access for All (March 1995)

- (e) Institute of Highways and Transportation - Transport in the Urban Environment
- (f) I.H.T. - Traffic Impact Assessment Guidelines
- (g) Freight Transport Association - Design for deliveries
- (h) DETR Traffic Advisory Leaflets (various)

6. Government Policy Planning Advice

- (a) National Planning Policy Framework (27.3.2012)
- (b) National Planning Policy Guidance Suite

7. Other Published Documents

- (a) Planning for Daylight and Sunlight - DOE
- (b) Coast and Countryside Conservation Policy - HCC
- (c) The influence of trees on house foundations in clay soils - BREDK
- (d) Survey and Analysis - Landscape and Development HCC
- (e) Root Damage to Trees - siting of dwellings and special precautions – Practice Note 3 NHDC
- (f) Shopping Policies in South Hampshire - HCC
- (g) Buildings at Risk Register SCC (1998)
- (h) Southampton City Safety Audit (1998)
- (i) Urban Capacity Study 2005 – 2011 (March 2006)
- (j) Strategic Housing Land Availability Assessment (March 2013)

Agenda Item 5

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel (East) 4 August 2015
Planning Application Report of the Planning and Development Manager**

Application address: Vacant site west of M271, Test Lane			
Proposed development: Redevelopment of the site to provide 19,132 square metres of employment floorspace in three buildings (Units 1 and 3 to be Storage and Distribution Use (Class B8), Unit 2 to be Business Use (Class B1 c) and/or Storage and Distribution Use (Class B8) with an area of open space, associated landscaping, servicing areas and car parking with vehicular access from Test Lane.			
Application number	14/01911/FUL	Application type	FUL
Case officer	Richard Plume	Public speaking time	15 minutes
Last date for determination:	N/A - Planning Performance Agreement	Ward	Redbridge
Reason for Panel Referral:	Request by Ward Member or five or more letters of objection have been received	Ward Councillors	Cllr McEwing Cllr Pope Cllr Whitbread
Referred by:	All Ward Councillors	Reason:	Traffic, noise, impact on neighbours, ecology.

Applicant: Evander Properties Ltd	Agent: Michael Sparks Associates (Mr Ashley Chambers)
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The Council has considered the proposal in the

context of the site allocation for industrial and warehousing development as set out in the Local Plan and the importance of the additional employment to be created by this development. The development would have an impact on the surrounding area in terms of character and appearance, traffic and noise but that this impact can be mitigated by Section 106 obligations and conditions. Ecology and flood risk issues have also been taken into account. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable, conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012).

Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, NE4, NE5, CLT7 and MSA19 of the City of Southampton Local Plan Review (as amended 2015) and CS6, CS7, CS13, CS18, CS19, CS20, CS21, CS22, CS23, CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015) and guidance in the NPPF (2012).

Appendix attached			
1	Development Plan Policies	2	Habitats Regulation Assessment

Recommendation in Full

1. That the Panel confirm the Habitats Regulation Assessment in Appendix 2 of this report.
2. Delegate to the Planning and Development Manager to grant planning permission subject to the completion of a S.106 Legal Agreement to secure:
 - i. Financial contributions and other obligations including Traffic Regulation Orders towards site specific transport improvements in the vicinity of the site in line with Policy SDP4 of the City of Southampton Local Plan Review (as amended 2015), Policies CS18 and CS25 of the adopted LDF Core Strategy (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).
 - ii. Provision of an area of public open space and the necessary commuted maintenance sum.
 - iii. Financial contribution as site specific mitigation measures to limit the impact on the adjoining local nature reserve.
 - iv. Submission of a highway condition survey to ensure any damage to the adjacent highway network attributable to the build process is repaired by the developer.
 - v. Submission of a Training & Employment Management Plan committing to adopting local labour and employment initiatives, both during and post construction, in accordance with Policies CS24 and CS25 of the Local Development Framework Core Strategy Development Plan Document - Adopted Version (as amended 2015) and the adopted SPD relating to Planning Obligations (September 2013).

- vi. The submission, approval and implementation of a Carbon Management Plan setting out how carbon neutrality will be achieved and/or how remaining carbon emissions from the development will be mitigated in accordance with Policy CS20 of the Core Strategy and the Planning Obligations SPD (September 2013).
 - vii. Commuter car parking survey and necessary mitigation post opening should the surveys identify an impact on residential streets.
 - viii. Air Quality Mitigation measures.
 - ix. Provision of public art in accordance with the Council's Public Art Strategy.
 - x. Submission and implementation of a Construction Traffic Management Plan.
 - xi. Submission and implementation of a Lorry Routing Agreement.
 - xii. Submission and implementation of a Travel Plan.
3. In the event that the legal agreement is not completed within two months of the date of the Panel the Planning and Development Manager be authorised to refuse permission on the ground of failure to secure the provisions of the Section 106 Legal Agreement.
4. That the Planning and Development Manager be given delegated powers to add, vary and /or delete relevant parts of the Section 106 agreement and/or conditions as necessary.

1. The site and its context

- 1.1 The application site is some 6.5 hectares in area and is situated on the eastern side of Test Lane. The site is currently a grassed open area with some tree planting to the boundaries and hedgerows to the Test Lane frontage. The site is allocated in the Local Plan for light industrial and warehousing development (Classes B1(c) and B8) under Policy MSA19 of the Local Plan.
- 1.2 The surroundings are of mixed character with industrial development (including the Daily Echo headquarters) to the north; the M271 motorway to the east; the Lower Test Lane Nature Reserve to the West beyond the Southampton to Romsey railway line; and a residential area to the south comprising bungalows and two-storey houses in Gover Road, Coniston Road, Westover Road and Test Lane. The application site is close to the administrative boundary of the city with Test Valley Borough Council.

2. Proposal

- 2.1 The application involves developing this currently open site with three business/storage and distribution buildings to provide a total of 19,132 square metres of floorspace. The largest of the three buildings (Unit 1) would run along the western site boundary and would provide approximately 10,860 square metres of floorspace to be used as a storage and distribution unit (Class B8). Unit 2, in the northern part of the site, would provide approximately 3,630 sq.m. floorspace and would be used for either Business Use - light industrial (Class B1 c) or Storage and Distribution Use (Class B8). Unit 3, in the south-east part of the site, would provide approximately 4,640 sq.m floorspace and would also be used for storage

and distribution purposes (Class B8). The development would potentially operate on a 24 hour basis.

- 2.2 Vehicular access would be from Test Lane, in the north-west corner of the site. A total of 224 car parking spaces would be provided for the three units. 35 lorry delivery dock spaces will be available.
- 2.3 The application also proposes to retain the southern end of the site as an open area which would become public open space. The area in question is some 1.79 hectares in area (4.43 acres)
- 2.4 The proposed external materials will be a mixture of horizontal and vertical cladding panels and buff brickwork with an aluminium curtain wall glazing system. The height of the buildings will be 12 metres to the eaves and 14.3 metres to the top of the roof. Between the two buildings on the southern boundary, an acoustic fence would be built above an earth bund to a total height of approximately 12 metres.
- 2.5 The application has been amended since it was initially submitted. The main changes to the scheme are a reduction in the amount of floorspace from 21,000 square metres to the current proposal of 19,132 sq.m. This has also resulted in changes to the layout on site with the buildings being moved further north on the site by between 10 metres and approximately 35 metres.

3. Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**. The application site is allocated for development under Policy MSA19 which reads as follows:

Test Lane South is safeguarded for B1 and B8 uses. Development will be permitted which:

(i) provides a buffer of landscaped and planted open space on the southern boundary of the site; refer to CLT 7;

(ii) would not adversely affect the residential amenity of the occupiers of nearby properties on Gover Road and Coniston Road.

Built development will not be permitted on the southern part of the site.

- 3.2 Major developments are expected to meet high sustainable construction standards in accordance with Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13.
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

- 4.1 There are no decisions on planning applications which are directly relevant to this proposal. However, in July 2014, a Screening Opinion was issued under the Environmental Impact Assessment Regulations 2011 confirming that this development did not require submission of an Environmental Statement (application reference 14/00712/SCR).
- 4.2 It is understood that the site was originally used for sand and gravel extraction and the land was subsequently infilled following the construction of the M271. The site was used for several years as a temporary park and ride site for the duration of the Southampton Boat Show in September.

5. Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (02.01.2015 and on 05.06.2015 for the amended application) and erecting a site notice (12.12.2014 and 15.05.2015 for the amended application). At the time of writing the report a total of **181** representations have been received from surrounding residents. This number includes comments made to the application as originally submitted and as amended. In addition to the individual responses, a petition bearing 188 signatures has been submitted which reads as follows:

'We, the undersigned, wish to lodge our objection on the proposed development based on the following:

- 1. The development as proposed is too close to neighbouring residential housing.**
- 2. It will cause excessive traffic problems to the neighbouring rural streets (already used as an M271 avoidance 'rat run').**
- 3. It is not suitable for the environmental conditions of the land, i.e. flood risk.**
- 4. Proposed 24/7 nature of the facility will cause excessive noise and lighting pollution in an area already deemed to have poor air quality.**
- 5. The visual effect on residents will be totally unacceptable and be totally against all residential amenity rights afforded to citizens.**
- 6. The development will have negative effects on local house prices and desirability.'**

The following is a summary of the points in individual correspondence grouped under various headings:

5.2 Principle of development/policy position

Proposal is for a development which is far in excess of the policy allocation for the site which was changed without consultation. An independent inspector recommended light industrial use only. The development should be limited to that use and should not be for Class B8 use. Local residents had previously been informed that the proposal would be for small light industrial and research premises. The proposals violate Policy MSA19 in that development would be on the southern part of the site. The southern part should logically mean the southern half of the site so the proposal is contrary to policy in that building works and the attenuation pond are in the southern half of the site. Local residents do not want a pond, they want a green open space. Any attenuation pond should be sited within the middle of the development.

Response

The circumstances surrounding the policy allocation are outlined later in this report. The policy does not define what the 'southern part of the site' means. There is no reference in the policy to 'southern half of the site'.

5.3 Traffic/transport

Up to 100 HGV's starting and running engines will have a significant impact on air quality. 31 HGV loading/unloading bays will cause significant problems for local residents. 750 jobs with only 250 car parking spaces (one space for every three employees) will mean that parking will overflow into surrounding streets. Restriction on vehicles turning left is unlikely to be enforceable and even cars making these movements will lead to noise and disturbance. There will be additional lorry movements rat-running through residential streets. The area will be unable to cope with the increased flow of traffic. Traffic will queue back at the bottom of Gover Road across the roundabout.

Response

The reference to up to 750 jobs possibly being accommodated on the site was information provided by the applicant. It is likely to be an over-estimate of the employment density on the site. The design of the site entrance encourages lorries to enter and exit the site from the north, although it cannot be guaranteed that all vehicles will obey this route. The demand for employee car parking will vary over the day as there is likely to be different shifts operating from the site. Comments on the application from the Council's Highways Team are included later in this report.

5.4 Impact on amenities of neighbours

Redbridge is one of the most polluted areas in Southampton, this proposal will significantly add to pollution in this area. A 24 hour operation will be detrimental to the amenities of local people in terms of noise and disturbance. Noise levels will be a problem at night with HGV reversing alarms, fork lifts and pallet trucks being used. The development is too tall and Unit 1 in particular is far too big and will encroach too close to adjacent houses. The height of the buildings is totally out of keeping with the houses around it. The biggest building should be parallel with the M271 not

alongside Test Lane. Residents would lose views over the green space. Every aspect of the development would be detrimental to the lives of local residents.

Response

These are large modern warehousing buildings designed for mechanised storage and servicing. The application is submitted for a 24 hour operation as is the case for many such industrial/warehousing operations. Consideration was given to relocating the largest building alongside the motorway but this would effectively have 'opened the site up' to potentially noisy operations from within the yard to the detriment of the neighbours to the south. Comments on the application from the Council's Environmental Health Team are included elsewhere in this report.

5.5 Ecology and environmental issues

Destruction of the ancient hedgerow along Test Lane is bad for ecology. The night sky would be ruined by light pollution from the external lighting to the yards which will be 15 metres high. The attenuation pond will lead to issues of danger to the public. The pond is on public land which means that the local facility of open space would be degraded and would be maintainable at the public expense. The pond will lead to stagnant water which will attract insects and rodents. Proposal would have an unacceptable impact on the local nature conservation area and wildlife with destruction of important hedgerows which provide a corridor for birds and bats. The potentially harmful seepage of water into the ground could cause problems for the nature reserve. The green space is not large enough. The field has a history of flooding. The pond could overflow and cause flooding at local residents properties. It would take decades for trees and shrubs to screen such large buildings.

Response

The issues relating to ecology are dealt with later in this report. The attenuation or infiltration pond will be on public land. Further details can be sought through a planning condition and a commuted sum will be sought for the future management and maintenance of the linear park. It is government policy that applications for major development should incorporate Sustainable Urban Drainage Systems. The infiltration pond is one such measure.

5.6 Air quality

Redbridge suffers from very poor air quality as recognised by recent reports and publicity. This proposal would lead to 800 extra traffic movements per day. This development, together with others in the area, would worsen the situation to the detriment of the health and quality of life for local residents. It is the responsibility of the Council to look after the health and wellbeing of its citizens and yet the Council ignore the impact of air pollution which gets continually worse in this area.

Response

The Council's Environmental Health team are satisfied with the specialist report submitted with the application which states there would be a negligible impact on air quality in and adjoining the Air Quality Management Area.

5.7 Other issues

The changes made to this application are insufficient for objections to be withdrawn. The developer has paid insufficient attention to the comments from local people and has not addressed the issues. The supporting reports submitted by the applicant are not accurate or plausible. There is no need for this development given the number of empty business premises in the area. The drainage system will not be able to cope with this scale of development. The cumulative impact of various developments in this part of the city and adjoining Council areas such as Adanac Park and the Lidl development would be detrimental to local people.

Response

Local residents concerns about the overall amount of development within the wider area is perfectly understandable but each planning application has to be considered on its individual merits in the context of national and local planning policies and other material considerations. The site is allocated for this form of development and there is a proven demand for these key economic sectors as set out in Policy CS6 of the Core Strategy. The fact that there may be other vacant business premises in the area would not outweigh the policy presumption in favour of development.

- 5.8 **Redbridge Residents Association** - The amended application was considered at an EGM held in May attended by over 80 residents. The Association object to the development due to its size and proposed activities on the following grounds: air pollution, 6% of the deaths in the city are due to air pollution and this development will worsen the situation; noise pollution, a 24/7 operation would be wholly inappropriate due to its proximity to residents; light pollution will impact on the area; attenuation pond will be built development on the southern part of the site which will be contrary to policy; impact on the adjoining SSSI which will affect wildlife.
- 5.9 **Councillor Pope** - Whilst the developers appear to have listened to a certain extent, they have not addressed the concerns of local residents. Objection to the application on the grounds of ecology, sustainability, air quality and pollution, height and location of buildings and impact on local residents. Any S.106 agreement should encourage local employment, apprenticeships and other positive contributions from developers and businesses. Although the BREEAM excellent rating is supported, local residents should benefit directly from energy generated in a co-operative enterprise supported by the developer and businesses.
- 5.10 **Councillor Whitbread** - Object to the application, previous concerns about impact on local wildlife have not been addressed. Proposal will bring additional traffic into the area which will have a negative impact on air quality in an already congested part of the city. Buildings are too high and not in keeping with the residential feel of the area. The proposed bund of trees will not grow fast enough and should be replaced by Leylandii trees to shield the development and to minimise noise and light pollution. 24 hour operation is likely to have a significant impact on quality of life. If approved, the Panel should consider restricting working hours.

- 5.11 **Councillor McEwing** - Object to the application, there are significant concerns about the difficulties such a development would bring to the local area. These include, but are not limited to: increased traffic pressure on the local highways network; noise and light pollution from 24 hour working; air pollution from the development and traffic; detrimental impact on wildlife being close to a nature reserve; loss of green open space.
- 5.12 **Hampshire and Isle of Wight Trust** (Owners and managers of the adjoining Lower Test Nature Reserve - comments on amended application) -

Impacts on Designated Sites and Recreational Pressure

We note that with this revised application the layout of the site has been changed and the area of the linear park increased. Whilst this is welcomed, we are still concerned that the site will no longer be as desirable for existing users and subsequently there will still be an increase in recreational pressure on our reserve. It is also worth considering that the proposed linear park will be located in the wettest part of the site, and part of it will incorporate the proposed attenuation pond. Therefore it will not be accessible to potential users, who will most likely seek out alternative sites, such as Lower Test Marshes Nature Reserve, for recreation. We note that the applicant is proposing a contribution of £35,000 to the Solent Recreation Mitigation Partnership (SRMP), by way of mitigating the recreational impacts on the Lower Test Marshes. We are pleased to see that this approach has been suggested as a way of addressing recreational impacts should the application be consented, however given that the proposals will directly impact on Lower Test Marshes Nature Reserve, it is important that any proposed mitigation strategy is aimed directly at the site where the impact will occur, rather than at a strategic scheme. This proposal will have a direct impact on the Lower Test Marshes Nature Reserve through the displacement of existing users of a site. Mitigation measures could include increased wardening of the site and/or new fencing to ensure that people and dogs do not deviate from the existing public right of way.

5.13 **Non-native tree and shrub species/management of the Linear Park**

We note and acknowledge the additional information with regard to the hedgerows and in particular why hedgerows 1 and 2 have been classified as two different hedgerows, despite them appearing to be one. We accept the justification given, but we are still disappointed that the development proposals involve the loss of a section of hedgerow. As you will be aware, hedgerows act as important breeding, commuting and foraging habitats for a variety of species. The fact that this hedgerow is linked to one that is considered important under the Hedgerow Regulations, will undoubtedly add to its value. It is therefore important that any planting scheme aimed at mitigating the loss of this hedgerow maintains some connectivity with the remaining hedgerows and comprises native tree and shrub planting. In previous responses one of the reasons for objection was the fact that the planting scheme included non-native ornamental species. We note that the revised planting scheme includes more native species present, however there are some species that are ornamental cultivars or that we consider unsuitable for the site. These include *Sorbus aria* 'majestica' and *Carpinus betulus* 'Frans Fontaine', both of which are ornamental cultivars and *Populus alba*, which is a naturalised not native species.

Response

The mitigation measures are accepted and can be secured through the Section 106 agreement and conditions. It is agreed that the financial contribution is for site specific mitigation measures and should be used on the adjoining nature reserve rather than in the generic SDMP fund. Details of planting species, management plans and replacement hedgerow can be secured through conditions.

Consultation Responses

- 5.14 **SCC Highways** - The site is accessible from Gover Road or Old Redbridge Road via the residential area, or Test Lane to the north. The applicants propose the access for the site to be from Test Lane, and the design is such to prevent vehicles from turning left out of the site, or right into the site. This effectively means that vehicles wishing to enter the site would need to approach from the north, and leave to the north, using Test Lane only. The design is sufficient to ensure that this is the only option for HGV traffic, however, a determined car driver could probably defy the layout and use the residential approaches/departure route via Old Redbridge Road or Gover Road. The workforce for the proposal may come from the surrounding area, meaning that not all drivers would be faced with this dilemma, as it would be more convenient for some to use Test Lane in any event. Also, as residents will know, exiting from Gover Road can be very difficult at busy times, so this does not make itself an attractive route to use. Anyone who tried to go against the no right turn and travel along Old Redbridge Road is most likely to want to travel westwards towards Totton and the New Forest.
- 5.15 There has been debate over the classification of business which can be permitted to operate from the proposed site. In highways terms there is a difference between the number of lorry trips versus car borne trips by workers, as manufacturing and industry tend to have a larger workforce but less HGV movements, and storage and distribution has greater numbers of HGV movements but a smaller workforce. To have a mix of uses on site helps to even up the numbers of movements of both HGVs and cars. Designing the access to permit a left in/right out movement should result in the impact of any increased traffic within the residential area of Gover Road and Old Redbridge Road being kept to a minimum, and any change could only be car traffic, and not HGVs. Both Gover Road and Old Redbridge Road are traffic calmed which means that any cars using this route will have to travel more sedately to avoid damage to their vehicles, and not all workers on the site would benefit from this route, preferring to use the designated right turn only out of the site.
- 5.16 The parking quantum shown has been checked against current Council maximum parking standards. The proposal suggests that units 1 and 3 combined have a floor area of 16,207m², which are to be designated for B8 use, and unit 2 will have a floor area of 4793m² designated as B1c or B8 use. 224 car parking spaces are shown in total, the maximum permissible spaces under SCC standards is 287, if all units were to be B8 use, and 234 if unit 2 is B1 use. The parking level as shown therefore accords with Council maximum parking standards. Lorry docking/parking spaces shown total 35, permissible numbers are 28, in addition 27 van docking/parking spaces are included principally for unit 3. It is considered to be beneficial to allow the provision of these extra spaces to avoid risk of overspill parking within the near vicinity of the site.
- 5.17 The development will have an impact on the surrounding highway network at

principal junctions, the main affected junction being junction 1 of the M271, Highways England who are responsible for this junction are satisfied with the impact expected from the proposal. The applicant's highways consultant has used the TRICS data base to identified anticipated traffic to be generated by this development. Cyclists will be able to access the site using all local routes, as can pedestrians. There are a number of bus routes which pass through the Redbridge Roundabout which provides accessibility to public transport within a short walk of the site. Re-opening of the footway over the motorway bridge was considered, as this would greatly assist sustainable transport to the site, but public opposition due to a history of anti-social behaviour associated with the use of the bridge has ruled this out. It is considered that subject to adequate detailed design of the proposed access to the development site, and conditions, supported by a number of off-site measures this proposal is acceptable in highways terms.

- 5.18 **SCC Sustainability Team** – The incorporation of the Linear Park and Attenuation Pond is welcome. The energy strategy adopts a hierarchical approach using passive and low energy design technologies to reduce baseline energy demand and CO2 emissions followed by the application of low and zero carbon technologies, which is supported. CO2 emissions reduction of over 35 % over the Building Regulations 2010 compliant baseline scheme. The renewable energy technologies of solar thermal and PV panels are predicted to achieve a 20 % CO2 reduction. When unregulated uses are taken into account there is a predicted reduction of 27 % in the development's annual CO2 emissions. Energy efficiency measures include: high performance glazing; Improved building fabric; Low building air leakage rate; high efficiency gas fired boilers; variable speed fans and pumps; low energy lighting; automatic lighting control with occupancy and daylight dimming controls; building management system to provide sophisticated energy efficiency controls. The provision of a decentralised energy centre (DEC) for the development incorporating a gas fired CHP to provide the heating and hot water base load for the development and an air cooled chiller to provide chilled water to facilitate the comfort cooling of the development has been reviewed by the applicant and concluded as not viable for the development for various technical and financial reasons.
- 5.19 **SCC Heritage Team** – Previous evaluations in this area revealed that the archaeology has been destroyed by extensive quarrying associated with the construction of the M271. No archaeological conditions are required.

5.20 **SCC Environmental Health (Pollution & Safety) -**

Noise

Guidance in terms of planning applications was revised in 2012 by the use of the National Planning Policy Framework (NPPF), which also makes reference to the Noise Policy statement for England (NPSE) All other current planning policy guidance was withdrawn by the NPPF. British Standard 4142 titled Methods for rating and assessing industrial and commercial sound was revised in 2014.

- 5.21 I have read the amended Resound acoustic report, which was submitted following my assessment of their original report where I felt there was insufficient mitigation to protect all the nearby residential properties. The current report recommends several different levels of mitigation depending upon the use of the site. The worst case scenario is if the site is used by refrigerated trailers, which run at night.

It is assumed within the noise report that the noise generated within the premises will be no louder than 75 dB(A). There will be some maximum noises louder than this, but this seems a reasonable level to assume for a transport distribution centre. I will not be able to condition this noise level at the boundary, as it should be around the background level, and so it will not be measurable and therefore not enforceable. I am not aware of permissions conditioning internal noise levels within buildings. The noise increase from the development will not increase the current noise levels by more than 2dB, which will be almost imperceptible, but will be audible. The report states anything above 3dB will require mitigation. Maximum noise levels measured outside the site will be no more than 60dB, which accords with an internal noise level of less than 45dB internally, so sleep disturbance should not occur. The design level for any building services plant is designed to be inaudible outside the site. As the final use of the site has not been decided, I can only recommend the maximum level of mitigation is applied as recommended in the Resound report RA 00325-Rep1. Two scenarios are calculated for the noise levels, scenario one where there are no refrigerated trailers, scenario two where all the docks to the building are occupied by refrigerated trailer that are plugged into the mains. BS 4142 requires that the specific noise level from the site, has penalties added to calculate the rating level. On this occasion, a penalty has been added for the reversing alarms. Assuming the site is used by refrigerated trailers, the recommendations in Scenario 2 in para 6.4 of the acoustic report requires a bund and fence height of 12 metres, This bund height is required to allow the site to operate at night with the doors open. If the doors are required to be kept shut to allow a less high acoustic barrier, then it is unlikely the site can operate on a 24 hour basis.

5.22 Matters to condition

- Provided the bund of 12 metres is built, then the highest predicted noise levels will be in Gover Road 1 measuring position of +2dB in a worst case scenario. This would be within impact rating of NOEL, no observable effect.
- This design of 12 metre bund will also require the compressors of the refrigerators to be plugged into the mains electrical supply and this should be conditioned.
- Where the dock doors are open at night, a canopy is recommended in the report, and further details of this should be submitted for approval by the LPA.
- The report in para.6.9 recommends a management plan for the site, and I would ask for a management plan be submitted by the site operator once the site is operational
- Noise from construction should be controlled via a construction management plan.

5.23 Air Quality

The Air Quality report recognises that as traffic from this site goes south on the M271 that air quality impacts for NO2 will be slightly increased around the Coniston Road area. This increase is not sufficient for me to object to this application, but mitigation measures including vehicle charging points within the parking area of the site, and for some contribution to help with our air quality action plan, and low emission strategy would be welcomed..

- 5.24 **SCC Environmental Health (Contaminated Land)** - No objections subject to conditions. Further assessment/investigations are required to provide further reassurances that nearby controlled waters will not be affected by the development. Unless the results of the further assessment can provide reassurance that no gas/vapour risks exist, a detailed scheme of remediation will need to be submitted. The risk assessment to date is largely based on the development including a significant area of hard standing, we will require further details of the landscaping plan as it will essentially form part of the remediation strategy. The report submitted indicates that potential pollutant linkages may be present and that further investigations/assessment is required. Consequently it would seem appropriate that the management of land contamination risks be regulated through the planning process.
- 5.25 **SCC Ecology** – The application site is located on the western side of the M271 motorway on the western edge of Southampton. It lies just under 50m to the east of the Lower Test Valley Nature Reserve although it is separated from this land by the main Southampton to Salisbury railway line. The site comprises a large area of improved grassland with a hedgerow, trees of varying ages, scrub and tall ruderal vegetation around the perimeter. Outside the site, running along the eastern side of Test Lane, there is a substantial hedgerow which is severed by a cycleway. Along the western side of the road there are verges supporting rough grassland with trees and shrubs. The majority of the site is considered to be of relatively low ecological value however, ecological survey information supporting the application indicates that the boundary vegetation provides habitat for breeding birds and foraging bats whilst the verges along Test Lane support reptiles. The proposed development would result in the loss of the majority of the grassland habitat within the site however, a linear park will be created along the southern boundary. This park will encompass the existing hedgerow along the southern boundary and incorporate a six metre planted acoustic bund, wild flower grassland and a new pond. The linear park appears to have good ecological potential however, bearing in mind its role in surface water management and the fact that it could get very wet particularly in the winter, the lack of a footpath could reduce its recreation value. A detailed management plan will be required.
- 5.26 The proposed development is likely to lead to an increase in dog walking activity within the nearby Lower Test Marshes Nature Reserve which has the potential to result in adverse impacts on the Solent and Southampton Water SPA and Ramsar site, Solent Maritime SAC and Lower Test Valley SSSI. The impacts arising from this activity will need to be mitigated before consent can be granted. Impacts from noise, vibration and light, particularly during the construction phase, should be fairly straight forward to manage. Details of appropriate mitigation measures need to be set out in a Construction Environmental Management Plan (CEMP). The loss of part of the existing hedgerow is regrettable. Replacement planting of the same species and density as the existing will be required to mitigate the loss. Mitigation measures designed to minimise adverse effects upon designated sites and other features of biodiversity value will be required. Such

measures will need to be secured through planning conditions or other legally enforceable means.

Response

These comments were prepared in advance of the preparation of the Habitats Regulation Assessment which is in Appendix 2 to this report. The mitigation measures and management arrangements can be secured through Section 106 obligations and conditions.

- 5.27 **Network Rail** - No objection, the construction works would pose low risks to the operation of the railway. Further details should be submitted to Network Rail relating to the means of construction, the type and colour of the cladding material etc.
- 5.28 **Hampshire Constabulary** – state they were consulted by the applicant's agent as described in the Design and Access statement. Several recommendations were made in relation to the layout of the scheme, defensible space, boundary treatments, surveillance and landscaping. I am pleased to see the applicant has indicated a willingness to address all these issues in the revised scheme. Of particular concern was the proposed footpath along the eastern and northern edge which would have created a relatively isolated area lacking surveillance opportunities and escape routes. This in turn could result in the space being used for crime and anti social behaviour and potentially put legitimate users at more risk. The repositioning of the units will create a larger amenity space to the south where activity can be observed more easily and assist in protecting the development perimeter. The applicant is further engaged with the Police regarding necessary security measures to tackle crime and disorder in line with their BREEAM requirements and I am confident they will be able to meet them.
- 5.29 **Southern Water** – No objections subject to imposition of conditions and informatives. There is currently inadequate capacity in the local network to provide foul and surface water sewage disposal to service the proposed development. It could increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result.

Response

The applicant has been in contact with Southern Water and the Drainage Strategy submitted with the application is to address these comments with Sustainable Urban Drainage to deal with surface water drainage issues. Further details can be sought by condition.

- 5.30 **Natural England - No objection.**
The application site is within or in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar site and also notified at a national level as Lower Test Valley Site of Special Scientific Interest (SSSI). In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any

potential impacts that a plan or project may have. Natural England notes that the HRA has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

5.31 Internationally designated sites

Solent and Southampton Water SPA

No objection (subject to conditions under the SSSI section of letter)

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, will need to screen the proposal to check for the likelihood of significant effects. The applicant's ecological assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts. On the basis of information provided, Natural England concurs with this view.

The Ecological Assessment states that during the construction phase, noise levels at the edge of the SPA are predicted to be 54 to 70dB, depending on location of plant and phase of works. The ground works, including piling, is likely to be the noisiest phases of work. Therefore the assessment presents a set of avoidance and mitigation measures to reduce noise impacts to the adjacent SPA set out in the Ecological Assessment, and these should be secured by any permission granted.

5.32 Solent Maritime SAC

No objection

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, will need to screen the proposal to check for the likelihood of significant effects. The applicant's ecological assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of information provided, Natural England concurs with this view.

5.33 Nationally designated sites

No objection – with conditions

This application is in close proximity to Lower Test Valley Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. The measures to reduce noise impacts to the adjacent SPA set out in the Ecological Assessment (dated November 2014 by The Ecology Practice) should be secured by any permission granted.

5.34 Highways England - No objections.

5.35 Environment Agency - No objections to the proposed development in terms of flood risk. The site is within Flood Zone 3 and has a high probability of flooding.

The applicants Flood Risk Assessment states that the finished floor level of the proposed buildings will be no lower than 3.9 metres AOD with a design flood level of 3.6 metres AOD in 2070. It is therefore assumed that these buildings should not be subjected to internal flooding over the lifetime of the development. Following recent changes, the Environment Agency is no longer responsible for surface water drainage.

- 5.36 **City of Southampton Society** - consider the proposed buildings should be sited at the northern end of the plot giving a necessary 'green lung' of protection to the residents of Gover Road. Suitable planting of trees (semi-mature specimens) and shrubs could reduce the noise to these residents. Some consideration should be given to the opening times of the proposed development to limit noise to not before 07.00 or after 18.30 hours. Should the units be used for storage purposes, the materials being stored should not require refrigeration thus avoiding night time noise pollution. The problem of water run-off should not be solved by allowing the adjacent land to absorb the surplus and become a bog. The opportunity should be taken to provide a formal, safe and attractive water feature such as a properly constructed pond.

6. Planning Consideration Key Issues

- 6.1 The key issues for consideration in the determination of this planning application are:

- The principle of this form of development.
- Traffic and transport issues.
- Impact on the amenities of neighbours including noise.
- Environmental issues including air pollution and impact on ecology.
- Economic development considerations.
- Design.

6.2 Principle of Development

The history of this site is that it was originally used for sand and gravel extraction and was subsequently infilled following construction of the M271. The land subsequently became a grassed open area and was used on a temporary basis as a park and ride site for the boat show. Although the site is used by local residents as a dog walking area it is not officially public open space. This development is in accordance with site allocation Policy MSA19 in the Local Plan which has been part of planning policy since 2006. Local residents do not accept the way this policy evolved. A significant number of the objections to this planning application relate to the proposed use for Class B8 purposes and the manner in which the Local Plan site allocation came about. In the draft Local Plan, the site was allocated for either Class B1, B2 or B8 uses. Following the Local Plan inquiry, which took place in 2003 and 2004, the Inspector considered that the B2 and B8 uses would not be acceptable and consequently recommended that the site allocation should be for Class B1(b) and (c) uses only. These uses are light industrial and research and development. However, at that time, the plan making process allowed local authorities to take a different view from the Inspector providing the necessary arrangements on consultation and notification took place. The amendments to the policy were made in the correct way and the policy was formally approved as part of the adopted Local Plan in March 2006. Members are therefore advised that the policy was correctly arrived at and the proposed uses

are compliant with Local Plan Policy MSA19. As originally submitted, the application included one of the Units being used for general industrial purposes (Class B2). Consequently, the application was advertised as a 'departure' as the use was not in accordance with the site allocation. As amended, the proposed uses are policy compliant. A minimum of 80% of the floorspace would be for Class B8 purposes, although it is potentially possible that the whole scheme could be for B8 purposes. The principle of this form of development is therefore acceptable.

6.3 Traffic and Transport

Members attention is drawn to the detailed comments of the Highways Team in Paragraphs 5.14 to 5.17 of this report. Traffic conditions in this area have been particularly difficult recently mainly because of the major road works being carried out at the junction of the M271 with the M27. These works are of a temporary nature. The area to the north of the application site is a long established industrial area served by Junction 1 of the M271. The intention of this development is that all large vehicles will enter and exit the site from the north, thereby limiting the impact on the residential area to the south. There are lorry weight restrictions and other traffic calming measures in place, although it is difficult to prevent all rat running traffic through the residential streets. The design of the junction at the entrance to the site is such that heavy goods vehicles would not be able to turn out of the site in a southerly direction. Various measures for regulating the traffic operation of this site can be secured through the Section 106 agreement and by conditions. Government guidance within the NPPF states that decisions should take into account whether safe and suitable access to the site can be achieved for all people and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF concludes that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Based on the Transport Assessment and the Highway team's analysis that could not be concluded in this case. Furthermore, the site is allocated for industrial and warehousing development so it is not a case of comparing the proposal against the existing vacant condition of the site.

- 6.4 In terms of car parking numbers, the development is in accordance with the Council's maximum car parking standards. Each of the three buildings would have their own independent servicing and car parking areas. Local residents objections to the car parking arrangements are partly based on the applicants original estimate that the development could accommodate up to 750 employees. However, as mentioned elsewhere in this report, this number of employees is considered to be an over-estimate. As a potentially 24 hour operation, the businesses are likely to operate a shift system with the workforce spread over the day. The buildings have large yard spaces and it seems unlikely that employees would wish to park off site. The Section 106 agreement could include an obligation requiring the developer to carry out survey work of the car parking situation in adjoining residential streets once the development is operational and to investigate parking controls should this prove necessary.

6.5 Impact on the amenities of neighbours

It is inevitable that a large commercial development of this nature will result in a significant change to the character and appearance of the area. This is currently a green open space (although not protected as such) which a large number of local residents to the south of the site overlook. However, once the site was allocated in the Local Plan for industrial/warehousing development, it became inevitable that the long established industrial estates to the north would effectively spread on to this site. Local residents are understandably concerned about the impact this development will have on the amenities of the area especially in terms of noise, air quality, additional traffic movements and a general increase in the level of activity on the site. Part of the difficulty in making an assessment of the likely impact is that the proposal is speculative with no known end-user. However, this is quite common with developments of this nature. The supporting information submitted with the application, particularly the acoustic assessment, is based on a worst case scenario, involving refrigerated lorries within the yard serving all three buildings. Whilst it is theoretically possible that each unit could be a food distribution facility this is not likely. Furthermore, although the applicant is seeking unrestricted hours of operation it is not inevitable that all three uses will be as busy at night as during the day. Members attention is drawn to the comments of the Council's Environmental Health Team on noise in paragraphs 5.20 to 5.22 of this report and on air quality in paragraph 5.23. There is likely to be a noise impact resulting from HGV movements on site, including manoeuvring and reversing into loading bays. The local area is characterised by relatively high levels of background noise as a consequence of the M271, although these levels reduce in the most noise sensitive times at night. The conclusion of the noise experts is that with mitigation measures in place, the worst case scenario of operating conditions, would result in a noise level of +2dB when measured in Gover Road. This is within the noise rating of 'No Observed Effect Level' (NOEL) as defined in the Noise Policy Statement for England which is the level at which there is no detectable effect on health and quality of life due to noise. Other issues raised relating to noise can be covered by imposing planning conditions.

6.6 The open space

Policy MSA19 states that 'built development will not be permitted on the southern part of the site'. There is no definition in the policy of precisely what this means. It is understood that discussion at the Local Plan inquiry assumed a minimum area of 2 acres (0.8 hectares) would be made available as a local park on the southern part of the site which would act as a landscaped buffer as well as a new area of open space. The area proposed as a local park has been enlarged as a result of amendments to the application from 3 acres (1.22 hectares) as originally proposed to 4.43 acres (1.79 hectares) as now proposed. Although significantly smaller than the existing field (approximately 28% of the existing area), the provision of a permanent area of public open space would be a welcome improvement and would act as a landscaped buffer between the residents and the new development.

- 6.7 The application incorporates elements of Sustainable Urban Drainage Systems (SUDS) as required by national and local planning policies to limit flood risk and the impact on the existing drainage network. These measures include permeable paving within parts of the yards as well as the infiltration pond within the new park. This pond would effectively be a bunded area for retaining surface water during heavy rain rather than a structure as such. Further details can be reserved by condition including measures for dealing with flood risk.

6.8 Economic Development Benefits

Turning to the need for new Class B8 warehousing development, various research carried out for PUSH and other organisations in recent years has recognised a shortage of Class B8 floorspace in South Hampshire, and a shortfall of suitable sites for large scale distribution facilities. This has been carried forward by Policy CS 6 of the Core Strategy, which identifies the need for 97,000 sqm of employment floorspace for industry/warehousing over the plan period. The proximity of the site to the motorway network makes this an attractive location for a distribution facility similar to those situated further to the north. The economic development benefits associated with this development are therefore considerable and a large number of new jobs would be created with positions likely to include warehouse operatives, office administrators, transport and logistic positions. For the application as originally submitted, the applicant estimated that up to 750 jobs could be created by this development. It is difficult to accurately estimate the number of jobs which might result given that this is a speculative development, i.e. there is no confirmed end user. However, a more conservative estimate, based on government sponsored research of employment densities would indicate approximately 300 full time equivalent jobs could be provided on this site. This would benefit the adjoining areas, Redbridge and Millbrook, which currently has quite a high level of unemployment. These employment benefits to the local area can be secured through the training and employment management plan as part of the Section 106 agreement.

6.9 Design

These buildings will be substantial modern warehouse buildings. These large warehouse structures with delivery bay openings will inevitably be somewhat monotonous and it is difficult to include features of interest which would be visible from outside the site; it is important to restrict window openings to limit future noise problems. The choice of external materials is acceptable and further details can be sought through a condition. The acoustic fence and bund between Units 1 and 2 would be a substantial structure, up to 12 metres in height, but this is considered to be necessary to mitigate noise impact. There would be a landscaped screen but this will take some years to establish. Although the buildings and screening would be dominant structures in the landscape, being on the north side of the residential neighbours, there would be no adverse impact in terms of sunlight and daylight.

6.10 Ecology Issues

Members attention is drawn to the comments of the Council's Planning Ecologist in paragraphs 5.25 and 5.26 of this report. In particular Appendix 2 of this report is the Habitats Regulation Assessment necessary as part of this development. This assessment is required before the Council as the 'competent authority' under the Conservation of Habitats and Species Regulations 2010 (as amended) can give approval to the project. The Habitats Regulation Assessment concludes that a number of avoidance and mitigation measures have been examined to remove any risk of a significant effect on the identified European sites. On this basis, it has been concluded that the significant effects which are likely in association with the proposed development can be overcome. Members are recommended to endorse this conclusion to allow the planning application to be decided.

- 6.11 Although the site is not itself of significant ecological value, the application will result in the loss of 8 trees, 3 on the eastern boundary and 5 from the hedgerows on the Test Lane frontage. The loss of part of the hedgerow on the Test Lane frontage is regrettable as it is of importance due to its age and quality. The amount of hedgerow to be removed will depend on highway alterations to be carried out in Test Lane, in particular the proposed reduction in traffic speeds along this stretch of the road. If the traffic speed were to be reduced to 30 miles per hour, the amount of hedgerow needed to be removed would be only about 42 metres (needed for traffic visibility). It is regrettable that an area of mature hedgerow is to be removed but this would be needed for any form of development to be carried out in accordance with the policy. Significant new tree planting will be possible in the new park, meeting the Council's normal requirement of tree replacement on a 2:1 basis. A landscape scheme and mitigation package can be secured by conditions.
- 6.12 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per dwelling has been adopted for residential development. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. Although this application is not for residential development there is considered to be an impact resulting from the loss of the existing field which has clearly been used informally as an area for dog walking. The applicants Ecological Assessment considers that the proposed linear park will provide better quality and lawful recreation opportunities. However, the loss of an area previously used for dog walking could place additional pressure on the adjoining Lower Test Nature Reserve where the potential exists for disturbance of over wintering birds. The applicant has agreed an appropriate compensation payment to fund a warden scheme aimed at controlling the effects of such recreational pressure on the protected areas. This can be secured through the Section 106 agreement. On this basis the application will have complied with the requirements of the SDMP and meet the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7. Summary

- 7.1 These are substantial new buildings, on a previously open site, which will significantly change the character and appearance of this part of the city. The land is identified in the Council's Local Plan for development of the type proposed in this application. The economic development and employment opportunities weigh in support of the proposal. It is inevitable that there will be an impact on local residents in terms of noise and additional traffic. On balance, and subject to

safeguards in the Section 106 agreement and conditions, it is considered that the issues of transport, neighbour impact and environmental issues have been satisfactorily addressed.

8. Conclusion

It is recommended that planning permission be granted subject to a Section 106 agreement and conditions.

Local Government (Access to Information) Act 1985
Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 2(f), 4(b), 4(g), 4(m), 4(vv), 6(a) and 6(b).

RP2 for 04/08/2015 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form no development works shall be carried out unless and until a written schedule of external materials and finishes has been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented only in accordance with the agreed details. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

03. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking

- layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
 - iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
 - iv. details of any proposed boundary treatment, including retaining walls; and
 - v. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

04. APPROVAL CONDITION - Land Contamination investigation [Pre-Commencement]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved by the Local Planning Authority. That scheme shall include all of the following phases, unless identified as unnecessary by the preceding phase and approved in writing by the Local Planning Authority:

1. A report of the findings of the additional assessment/investigation, characterising the land gas and groundwater regime and allowing for potential risks (as identified in phase 1) to be assessed.
2. A scheme of remediation detailing the remedial actions to be taken and how they will be implemented.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason:

To ensure land contamination risks associated with the site are appropriately investigated

and assessed with respect to human health and the wider environment.

05. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority.

Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

06. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

07. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

08. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties and to safeguard the special ecological value of the adjoining nature reserve.

09. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

10. APPROVAL CONDITION - Piling [Pre-Commencement Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the selected piling method can be justified on the grounds of structural, geotechnical, contamination, noise, vibration and practicability and ensure any adverse environmental impacts are identified and appropriate mitigation measures are proposed

Condition Informative 1

Guidance is provided in the Environment Agency's publication NC/00/73, Piling and Penetrative Ground Improvements Methods on Land affected by Contamination:

Guidance on Pollution Prevention, section 6.5

Condition Informative 2

Guidance suggests maximum vibration of 1mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of the nearest occupied residential building and a maximum vibration of 3mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of an occupied commercial building.

11. APPROVAL CONDITION - Lighting Scheme (Pre-Occupation Condition)

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the lighting scheme. The scheme must demonstrate compliance with table 1 "Obtrusive Light Limitations for Exterior Lighting Installations", by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

Reason

To protect the amenities of the occupiers of existing nearby residential properties.

12. APPROVAL CONDITION - Restricted Use [Performance Condition]

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (as amended or any subsequent amending Order) the buildings hereby approved shall only be used for the purposes specified in the application, namely Storage and Distribution (Class B8) for Units 1 and 3 and either Business Use (Class B1(c) or (Class B8) for Unit 2.

Reason:

For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development in the interests of the amenities of the area and to comply with Policy MSA19 of the Local Plan.

13. APPROVAL CONDITION - Restriction on use (Performance Condition)

The maximum floorspace of the development hereby approved shall be 19,132 square metres gross and the development shall not be sub-divided or occupied by more than three businesses at any one time.

Reason

To restrict the development to that set out in the application in the interests of the amenities of the area and local transport conditions.

14. APPROVAL CONDITION - Junction Details [Pre-Commencement Condition]

No development shall commence until details of the junction between the proposed service road and the highway have been approved in writing by the LPA and the development shall not be brought into use until that junction has been constructed in accordance with the approved plans.

Reason:

To ensure a safe access to the site is achieved.

15. APPROVAL CONDITION - Cycle and changing facilities (Pre-Occupation Condition)

The use hereby approved shall not be first occupied until cycle storage, changing, washing and shower facilities for members of staff have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter.

Reason

To encourage cycling as an alternative sustainable means of transport in accordance with Council policy.

16. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the building is first occupied full details of facilities to be provided for the storage and removal of refuse from the premises together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local

Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained thereafter.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

17. APPROVAL CONDITION - Layout of Car Parking/Serviceing (Pre-Occupation Condition)

The whole of the car parking, cycle storage and serviceing facilities for the uses hereby approved shown on the approved plans shall be laid out and made available before the building to which the facilities relate is first occupied and thereafter retained solely for the use of the occupants and visitors to that building and for no other purpose.

REASON

To ensure adequate on-site parking and serviceing facilities and to avoid congestion in the adjoining highway.

18. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

19. APPROVAL CONDITION - BREEAM Standards (commercial development) [Pre-Occupation Condition]

Written documentary evidence demonstrating that the development has achieved at minimum a rating of Excellent against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

20. APPROVAL CONDITION - Ecological Mitigation Statement [Pre-Commencement Condition]

Prior to development commencing, including site clearance, the developer shall submit a programme of habitat and species mitigation and enhancement measures, [as set out in the submitted Ecological Statement with the application] which unless otherwise agreed in writing by the Local Planning Authority shall be implemented in accordance with the programme before any demolition work or site clearance takes place.

Reason:

To safeguard protected species under the Wildlife and Countryside Act 1981 (as amended) in the interests of preserving and enhancing biodiversity.

21. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

REASON

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

22. APPROVAL CONDITION - No other windows or doors other than approved in specific location [Performance Condition]

Unless the Local Planning Authority agree otherwise in writing and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) in relation to the development hereby permitted, no alternative or additional windows (including roof windows or dormer windows), doors or other openings other than those expressly authorised by this permission shall be constructed in the southern elevations of Units 1 or 3.

Reason:

To protect the amenities of the adjoining properties.

23. APPROVAL CONDITION - Sustainable Urban Drainage (Pre-Commencement Condition)

No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the proposed SUDs arrangements are provided in a satisfactory manner.

24. APPROVAL CONDITION - Acoustic barriers (Pre-Occupation Condition)

The position and height of acoustic barriers (comprising bunds and fencing) along the site boundary shall be in accordance with the approved plans. Details of the construction of the acoustic screening (including fencing design, materials and surface density) shall be verified for effectiveness by a competent acoustician and approved by the Local Planning Authority both prior to their construction and prior to commencement of use, and thereafter those barriers shall be maintained in a good state of repair so as to remain fully effective.

Reason

To protect the amenities of the occupiers of existing nearby residential properties.

25. APPROVAL CONDITION - Electric Car Charging Points (Pre-Occupation Condition)

No part of the development shall be occupied until electric car charging points have been provided in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of sustainability and air quality given the proximity to an Air Quality Management Area.

26. APPROVAL CONDITION - No open storage (Performance Condition)

No open storage or loading/unloading of vehicles shall take place within the yards of the buildings.

Reason:

To protect the amenities of neighbouring residents.

27. APPROVAL CONDITION - Noise Mitigation Measures (Pre-Occupation Condition)

No part of the development shall be occupied until detailed noise mitigation measures, to include canopies above the loading dock and a scheme of management measures has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before first occupation and retained thereafter.

Reason:

To limit noise and disturbance and to protect the amenities of neighbours.

28. APPROVAL CONDITION - Refrigerated Vehicles (Performance Condition)

Any refrigeration vehicles serving the site shall use electrical hook up facilities rather than diesel engines.

Reason:

To limit noise and disturbance and to protect the amenities of neighbours.

29. APPROVAL CONDITION - Refrigeration Compressors (Performance Condition)

Any refrigeration equipment within the buildings shall utilise electric compressors and not diesel.

Reason:

To limit noise and disturbance and to protect the amenities of neighbours.

30. APPROVAL CONDITION - Hedgerow removal (Pre-Commencement Condition)

No hedgerow shall be removed until details of arrangements for replacement of the hedgerow have been submitted to and approved in writing by the Local Planning Authority. The works shall subsequently be carried out in accordance with these approved details.

Reason

In the interests of ecological mitigation.

31. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS6	Economic Growth
CS7	Safeguarding Employment Sites
CS13	Fundamentals of Design
CS14	Historic Environment
CS18	Transport: Reduce-Manage-Invest
CS19	Car and Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk
CS24	Access to Jobs
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP6	Urban Design Principles
SDP7	Urban Design Context
SDP8	Urban Form and Public Space
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE4	Protected Species
NE5	Intertidal Mudflat Habitats
NE7	Rail Corridor
HE6	Archaeological Remains
CLT7	Provision of New Public Open Space
MSA19	Test Lane South

Supplementary Planning Guidance

Planning Obligations (Adopted - September 2013)
Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)
The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Habitats Regulations Assessment (HRA)

Application reference:	14/01911/FUL
Application address:	Land At Test Lane Southampton
Application description:	Redevelopment of the site to provide 19,132 square metres of employment floor space in three buildings (Units 1 and 3 to be storage and distribution use (Class B8), Unit 2 to be Business use (Class B1c) and/or storage and distribution use (Class B8)) with an area of open space, associated landscaping, servicing areas and car parking with vehicular access from Test Lane (amended description following alterations to the planning application).
HRA completion date:	14/07/15

HRA completed by:
Lindsay McCulloch Planning Ecologist Southampton City Council Lindsay.mcculloch@southampton.gov.uk

Summary
<p>The project being assessed would lead to the development of three buildings providing approximately 20,000 square metres of industrial and/or storage and distribution space in close proximity to a section of the Solent Maritime SAC and Solent and Southampton SPA/Ramsar site.</p> <p>The site is currently a field which, although fenced off, is used by dog walkers. The development during its construction phase is likely to result in higher levels of noise, dust generation and lighting. There is also a low risk of contaminants being mobilised. During the operational phase elevated light levels will remain however, levels of noise and dust generation should diminish. The development will also result in the permanent displacement of dog walking activity which is likely to lead to increased recreational disturbance with the nearby Lower Test Marshes Nature Reserve.</p> <p>The findings of the initial assessment concluded that a significant effect was likely through a number of impact pathways. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects which are likely in association with the proposed development can be overcome.</p>

<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website.</p>	<ul style="list-style-type: none"> ▪ Solent Maritime Special Area of Conservation (SAC) ▪ Solent and Southampton Water Special Protection Area (SPA) ▪ Solent and Southampton Water Ramsar Site
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development consists of an increase in employment floor space and open storage which is neither connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> • Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) • City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) • South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) • Lidl Distribution Centre, Brownhill Way Construction is due to start shortly on a new Regional Distribution Centre (42,820 square metres gross floor space - Class B8) with 186 associated car parking spaces and HGV hardstanding. <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m² of office development and 550,000m² of manufacturing or distribution floor space across the South Hampshire area between 2011 and 2026.</p> <p>Southampton Core Strategy (amended 2015) aims to provide additional office space of at least 110,000 sq. m., 97,000 sq. m of industrial and warehouse uses plus about 90,000 sq. m new comparison shopping. This is in addition to a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>The site at Test Lane is identified as a Major</p>

Employment Area within the Core Strategy and the proposed development complies with Policy CS 6 – Economic Growth. The site is also allocated for Class B1(c) and B8 uses under Policy MSA 19 of the Local Plan as amended).

Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

Test 1: the likelihood of a significant effect

This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1) (a) of the Habitats Regulations.

The proposed development is located 40m to the west of a unit of the Solent and Southampton Water SPA, Ramsar site and the Solent Maritime SAC. The designated land also forms part of the Lower Test Valley Site of Special Scientific Interest (SSSI) and lies within the Lower Test Marshes Nature Reserve which is owned and managed by the Hampshire and Isle of Wight Wildlife Trust (HIWWT)

The Solent Maritime SAC is designated for a range of habitats including tidal rivers, estuaries, mud flats, and salt marshes. The Solent and Southampton Water SPA and Ramsar site are designated for a range of breeding and over-wintering wetland bird species and for a significant assemblage of over-wintering wetland birds. A full list of the qualifying features for each site is provided at the end of this report.

The development could have implications for these sites which could be both temporary, arising from construction activity, or permanent arising from the on-going impact of the development when built.

The site is not immediately adjacent to the designated sites nor does it support any regular foraging or roosting activity by species for which the Solent and Southampton Water SPA and Ramsar site are designated. Direct impacts are therefore unlikely.

Reports submitted in support of the planning application identified the following indirect effects:

- Noise;
- Light;
- Air quality;
- Mobilisation of contaminants.

The Hampshire and Isle of Wight Wildlife Trust in their comments to the Local Planning Authority, dated 5th and 13th January 2015, identified the following additional indirect effects:

- Increase in recreational disturbance on the nature reserve;
- Habitat loss or degradation (of the designated site itself or associated habitats such as foraging or roosting areas used by interest species).

A number of avoidance and mitigation measures have been proposed which are summarised as follows:

- A Construction Environment Management Plan (CEMP) covering:
 - Piling methodologies
 - Timing of works
 - Noise levels
 - Control of surface water runoff
 - Dust suppression
 - Control of light levels
- A financial contribution of £35,000 to the Hampshire and Isle of Wight Wildlife Trust
- Provision of a linear park incorporating a balancing pond
- A detailed lighting plan

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.

The project being assessed would lead to the development of three buildings providing approximately 20,000 square metres of industrial and/or storage and distribution space in close proximity to a section of the Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The site is currently a field which, although fenced off, is used for dog walking. The development during its construction phase is likely to result in higher levels of noise, dust generation and lighting. There is also a low risk of contaminants being mobilised. During the operational phase elevated light levels will remain however, levels of noise and dust generation should diminish. The development will also result in permanent displacement of dog walking activity which is likely to lead to increased recreational disturbance with the nearby Lower Test Marshes Nature Reserve

The applicant has provided details of several avoidance and mitigation measures which are intended to reduce the identified impacts. However, without more detailed analysis, it is not possible to determine whether the proposed measures are sufficient to reduce the identified impacts to a level where they would not result in a significant effect on the identified European sites. Overall, there is the potential presence of both temporary and permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives

The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment, it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at <http://publications.naturalengland.org.uk/category/6528471664689152>.

The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive." Whilst the conservation objective for the Special Areas of Conservation is to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

TEMPORARY, CONSTRUCTION BASED EFFECTS

Noise disturbance

Solent and Southampton Water SPA/Ramsar Site

The SPA and Ramsar site are designated primarily for supporting a significant assemblage of over-wintering birds. Wintering birds are known to be susceptible to noise disturbance, particularly sudden loud noise associated with activities such as piling, which can cause birds to cease feeding or take flight. This in turn leads to a reduction in the birds' energy intake and an increase in expenditure of energy which can affect their survival.

Studies of birds' response to noise associated with other developments have established that below 50decibels (dB) there is little effect, between 50dB and 70dB there is moderate to high effect (head turning, scanning, reduced feeding) and above 85dB there is the maximum response of flying away. It has also been established that where sound is regular, birds will become habituated to it even if it is significantly higher than 85dB.

A noise study undertaken in support of the development modelled noise levels on the edge of the designated site. During the construction phase noise levels on the boundary of the designated site were found to be in the range of 54dB to 70dB, dependent upon the position of piling rigs. At the higher end of this noise range birds' response could be expected to include head-turning and scanning behaviour, but is unlikely to involve leaving the site.

Ground works, including piling, are likely to be the noisiest part of the construction phase.

Measures such as commencing noisy activities gradually so that the noise level builds up to the maximum over several minutes, locating noisy activities on the eastern side of the site first to allow birds to become habituated, avoiding noisy activities during very cold weather and use of appropriate screening around the site can all help to ensure that the 70dB level is not exceeded. These measures would need to be detailed in the CEMP.

Light disturbance

Solent and Southampton Water SPA/Ramsar Site

Lighting associated with the construction phase of the development has the potential to affect wetland birds feeding and roosting within the nature reserve. Measures to control site lighting will be included within the CEMP.

Air quality;

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The most significant air quality risk from the construction phase is the generation of dust which can smother habitats. The air quality assessment assessed the designated sites as being of high sensitivity to dust emissions however, as they are located over 20 m from the site boundary, the overall sensitivity was reduced to 'medium' in relation to earthworks and construction but high in relation to 'track-out'. A number of mitigation measures including site screening, locating machinery and dust causing activities as far away from the designated sites as is practical, damping down dusty surfaces and covering piles of construction materials are detailed in Section 8 of the Air Quality Assessment. Incorporation of these into the CEMP would enable significant effects to be avoided.

An assessment of NO_x emissions along Test Lane found that the increase would be insignificant and therefore no impacts can be expected on the designated sites.

Mobilisation of contaminants.

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The contamination report identifies marginally raised levels of metal contaminants present across the site and raised levels of ammoniacal nitrogen in the northern section. Elevated concentrations of magnesium, potassium and sodium were also identified in groundwater samples.

Groundwater monitoring established that ground water is present between 1.06m below ground level (BGL) and 2.44m bgl. The monitoring also established that the groundwater is not influenced by tidal movements in the Test estuary. The groundwater is assumed to flow in a south-westerly direction toward the River Test. In addition, based on the current land use, there is the potential for contaminants to be carried into the River Test via soil water infiltration and groundwater migration.

A potential pathway has been identified between contaminants present on the site and the River Test. Should this pathway occur, it would be possible for contaminants to

enter designated habitats, including salt marsh and mudflat, and the food chain of wetland birds.

During the construction phase piling has been identified as an activity that could facilitate movement of contaminants. Although the risk is considered to be low, the Contamination Report recommends agreeing a specific piling methodology with the Environment Agency. This mitigation measure is considered to be appropriate.

Displacement of recreational activity and trampling of habitats

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The application site currently comprises an open field which, although fenced, has been used regularly for dog walking. No formal visitor survey data has been provided however, the ecologists undertaking the ecological appraisal noted dog walkers using the site. This is supported by comments from HIWWT indicating that they have spoken with local people and established that the site has been used regularly for over 30 years. Redevelopment of the site will therefore result in displacement of dog walking activity.

A linear park has been included in the design of the development however, this is substantially smaller than the current site and will not provide a secure space to allow dogs to be exercised off leads as is currently the case. The likely consequence is that dog walkers will seek alternative sites.

The Lower Test Marshes Nature Reserve, which contains section of the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site, is likely to prove a suitable alternative. Access can be gained via a public footpath, approximately 250m to the north of the proposed development site, and once on site there is an extensive area of saltmarsh/grassland which are likely to prove attractive to dog owners seeking to exercise their dogs off the lead.

Potential impacts arising from increased recreational disturbance are likely to include trampling of saltmarsh vegetation and disturbance to migratory and wintering bird species, both of which are features of the SAC and SPA/Ramsar site. In addition, the Wildlife Trust has stated in its comments to the Local Planning Authority that survey data they have collected over a number of years indicates that, “the area in the vicinity of the public access onto the site, and most likely to be impacted if the proposals go ahead, is regularly used by wintering wildfowl, such as wigeon *Anas penelope*, teal *A. crecca* and mallard *A. platyrhynchos* and also by the common snipe *Gallinago gallinago* and jack snipe *Lymnocyptes minimus*. The area also supports important saltmarsh communities, and these are particularly susceptible to trampling.”

Research undertaken into the effects of recreational activity at SPA locations has shown that some forms of recreation, including dog walking, have the potential to result in mortality in the SPA bird populations. For a review of the in-depth analysis which has taken place on this issue at the Solent, please see the Solent Disturbance and Mitigation Project (SDMP)

(http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/). An increase in recreational activity on the nature reserve, without a consequent increase in site management, has the potential to lead to significant adverse effects.

Restricting access from Test Lane is likely to prove difficult due to the presence of a public footpath. The Wildlife Trust has indicated that they believe a combination of increased reserve officer presence and/or the erection of a new stock proof fence along the footpath are likely to be required to ensure that there are no adverse impacts on the designated habitats or species.

Although this development is not a residential scheme, and therefore falls outside the remit of the Solent Recreation Mitigation Partnership, the applicant has indicated that they are willing to provide a sum of £35,000 (equivalent to a theoretical 200 house development) to be used to fund mitigation measures within the Lower Test Marshes Nature Reserve. This sum of money, to be secured via a legal agreement, would be provided to the Hampshire and Isle of Wight Wildlife Trust to be spent on mitigation measures to be agreed with the Local Planning Authority.

The provision of this sum of money will enable management of increased recreational activity within the nature reserve and thus avoid adverse impacts on designated habitats and species.

PERMANENT, OPERATIONAL PHASE IMPACTS

Noise

Solent and Southampton Water SPA/Ramsar Site

Noise levels on the edge of the designated site were assessed as being around an average of 40dB with peaks up to 58dB. This falls within the Low to Moderate range and is only likely to lead to minor response from the birds. Bearing in mind that the birds are already likely to be exposed to regular high levels of noise from trains using the adjacent railway line it is unlikely that the noise emanating from the development will lead to adverse impacts.

Light disturbance

Solent and Southampton Water SPA/Ramsar Site

Once complete, the development will result in a higher level of lighting on the site. This lighting is likely to be in operation throughout the night.

A lighting assessment based upon the ILP 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011' has been carried out. This assessment used the more conservative category of E1 – Natural, Intrinsically dark (National Parks, Areas of Outstanding Natural Beauty etc.), due to the close proximity of the dark nature reserve, rather than the E2, Rural, low district brightness (e.g. village or relatively dark outer

suburban locations) that would have been dictated by the presence of housing. This more stringent criteria provides a margin of safety.

The assessment indicated that the development will produce no direct upward light. In addition, there will be no adverse impacts from light trespass, due to the distance between the site and the designated site, or light presence which is negligible due to the screening effect of buildings and vegetation. A slight increase in glare, is likely to occur although this still complies with the criteria for limiting obtrusive light in an E1 environmental zone.

The assessment was undertaken on a theoretical design for the external lighting rather than a confirmed design therefore, to ensure that these standards are carried through to the final design, a detailed lighting scheme will be secured through a planning condition.

Air quality

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The assessment predicted a negligible increase in both NO_x and N-deposition within the designated sites and therefore no adverse effects are likely.

Mobilisation of contaminants

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

A Flooding Report undertaken by Capita Symonds notes that in localities where the water table is able to infiltrate into the made ground there is potential for leaching of contaminants into the groundwater. Therefore, large areas of the site cannot be used for surface water infiltration as this would cause mobilisation of contaminants. As an alternative, it is proposed that a balancing pond is incorporated into the design of the new linear park. In addition, once the development is complete the higher level of sealed surfaces will reduce the opportunity for water infiltration and thus reduce the risk of transport of contaminants in groundwater. It is considered that these measures will provide an improvement on the current situation.

Displacement of recreational activity and trampling of habitats

Solent Maritime SAC and Solent and Southampton Water SPA/Ramsar site

The issues in the operational phase are identical to those of the construction phase and the same mitigation measures apply.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

The findings of the initial assessment concluded that a significant effect was likely through a number of impact pathways. As such, a detailed appropriate assessment has been conducted on the proposed development, incorporating a number of avoidance and mitigation measures which have been designed to remove any likelihood of a significant effect on the identified European sites.

This report has assessed the available evidence regarding the potential impact pathways on the identified European sites. It has also considered the effectiveness of the proposed

avoidance and mitigation measures. It has been shown that, provided that the proposed mitigation measures are implemented, **the significant effects which are likely in association with the proposed development can be overcome.** The mitigation measures which are detailed below, should be secured through a legal agreement or planning conditions:

- A Construction Environment Management Plan covering:
 - Piling methodologies
 - Timing of works
 - Noise levels
 - Control of surface water runoff
 - Dust suppression
 - Control of light levels
- A financial contribution of £35,000 to the Hampshire and Isle of Wight Wildlife Trust
- Provision of a linear park
- A detailed lighting plan

As a result, there should not be any implications as a result of this development in relation to either the conservation objective of the SPAs to "avoid the deterioration habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring that the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive" or to the conservation objective of the SACs to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

European Site Qualifying Features

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*
- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline

lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.

- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

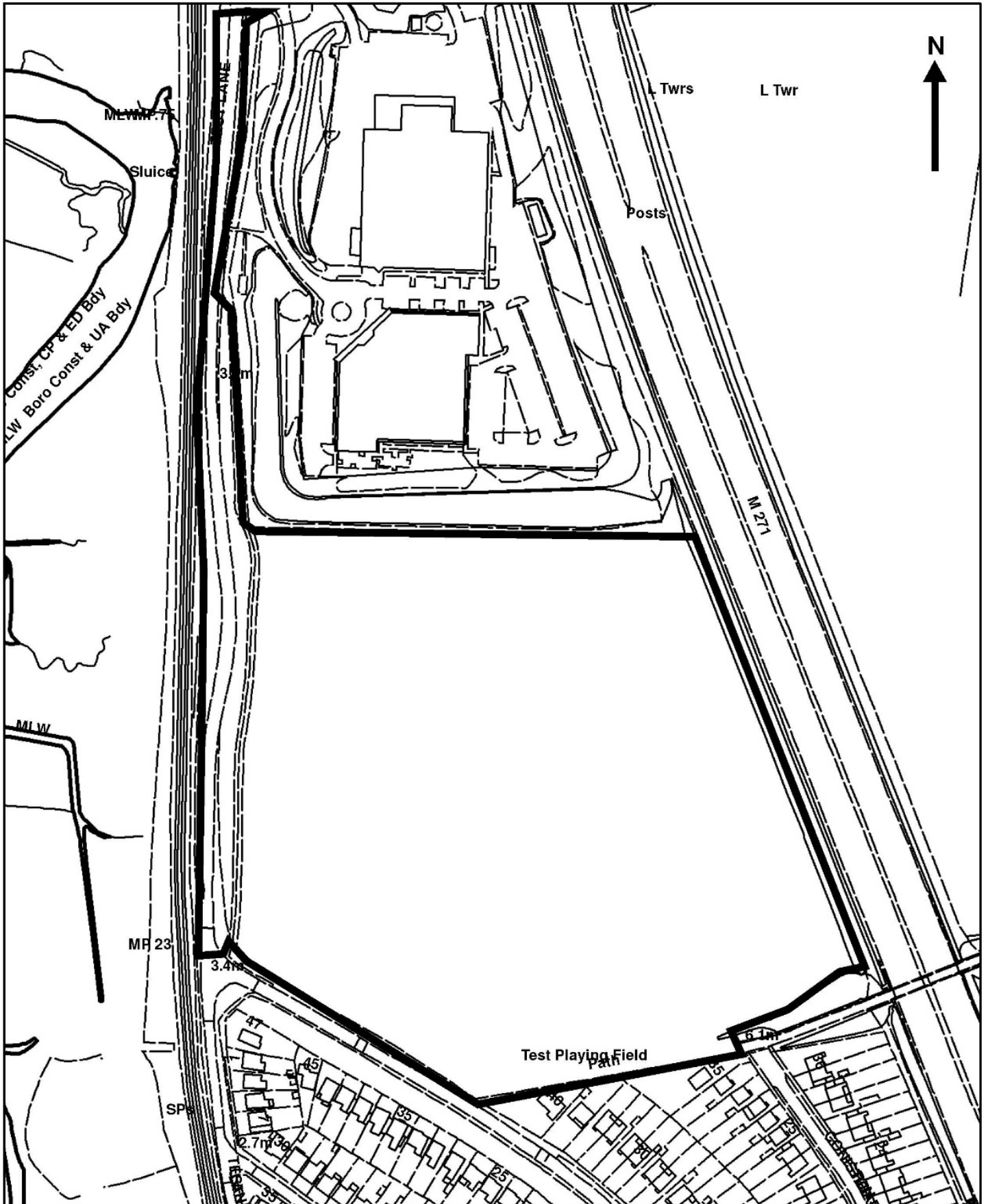
Solent Maritime SAC

The Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Estuaries (primary reason for selection)
- *Spartina* swards (*Spartinion maritimae*) (primary reason for selection)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) (primary reason for selection)
- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by seawater at low tide
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- Salicornia and other annuals colonising mud and sand
- Shifting dunes along the shoreline with *Ammophila arenaria* (“white dunes”)

Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Desmoulin's whorl snail *Vertigo moulinsiana*



Scale: 1:2,500

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Agenda Item 6

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 4th August 2015
Planning Application Report of the Planning and Development Manager**

Application address: Land Opposite 69 – 73 Whitworth Crescent, Southampton			
Proposed development: Works to facilitate and use of the site for 4 x residential houseboats			
Application number	14/01431/FUL	Application type	FUL
Case officer	Anna Lee	Public speaking time	5 minutes
Last date for determination:	15.10.2014	Ward	Bitterne Park
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr Fuller Cllr Inglis Cllr White
Referred by:	N/A	Reason:	N/A

Applicant: Mr Clive Kennedy	Agent: WYG
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Recommendation Summary	Delegate to Planning and Development Manager to grant planning permission subject to criteria listed in report
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The development is considered to satisfactorily address the character of the area, impact on the site ecology, highway safety and impact on residential amenity (noise and privacy) for the reasons given in the report to the Planning and Rights of Way Panel on 4th August 2015. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP16, SDP20, SDP22, SDP23, NE3, NE4, NE5, HE6, CLT3, CLT12 and CLT13 of the City of Southampton Local Plan Review (Amended 2015) and CS4, CS12, CS13, CS19, CS20, CS21, CS22 and CS23 of the Local Development Framework Core Strategy Development Plan Document (Amended 2015) and the provisions set out in Marine Policy Statement (2011).

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History

Recommendation in Full

1. Delegate to the Planning and Development Manager to grant planning permission subject to:
 - a) Notwithstanding the submission of an existing site survey and proposed spot levels the receipt of a satisfactory plan showing a series of cross sections to scale through the site from the road at Whitworth Crescent down to the foreshore clearly illustrating the changes in land levels at 1m intervals; and,
 - b) Details of the earthworks (both cut and fill) required to be undertaken in terms of the volume of material required to be moved and how this work will be undertaken; and,
 - c) No objection being received from the Council's Ecologist and Structural Engineer following receipt of the additional information.

In the event that a satisfactory plan or sufficient details (as set above) are not submitted or an objection is raised from the necessary consultees within three months from the date of this Panel meeting the Planning and Development Manager be authorised to refuse permission as necessary.

2. That the Planning and Development Manager be given delegated powers to add, vary and /or delete conditions as necessary, and particularly in relation to the above matter being satisfactorily resolved.

Background

Planning permission is sought for the physical works required to provide appropriate moorings for 4 houseboats. These works comprise the subdivision of the plot, the creation of car parking with access onto Whitworth Crescent, the regrading of the site to provide pedestrian access and the pontoons themselves. The houseboats are not development requiring planning permission, although the use of the site for residential purposes requires planning permission. A similar application was approved in 1993. At that time a 5 year permission was granted for the subdivision of site into 4 separate plots for use as a private boating facilities with the construction of pontoons (LPA ref: 930663/E). This permission did not propose a residential use, as is the case with the current scheme, but did include the subdivision of the plot with additional works at Whitworth Crescent to facilitate parking and pedestrian access to the foreshore with 4 pontoons. This permission was implemented but the works were never completed meaning that this permission is extant and could be finished without the need for further planning permission. This is a material consideration in the determination of the current planning application.

1.0 The site and its context

- 1.1 The site lies on the east bank of the River Itchen and part of it is located within the foreshore (between the high and low water marks). The River Itchen Mudland Site of Importance for Nature Conservation (SINC) abuts the site on three sides. The River Itchen Special Area of Conservation (SAC) lies to the north of the application site. Part of the site near the foreshore comprises the remains of broken glass which has resulted in land reclamation reclaimed in the late 19th-early 20th century. The application site lies within Flood Zone 3 defined by the Environment Agency Flood Map as having a high probability of flooding. The site fronts Whitworth Crescent where the car parking spaces and access to the

houseboats are to be located. There is a change in level of about 7 metres from this point down to the foreshore.

- 1.2 The application site itself is overgrown including Buddleia, bramble, Willow and Oak. The Oak tree is protected by a Tree Preservation Order (TPO). The boundary fronting Whitworth Crescent is formed by part wall, part fencing and a stretch of it is open to views. Due to the overgrown nature of the site the only part visible from the wider streetscene is the vegetation boundary. The site has previously been used for boating activities incidental to the use of the river for leisure purposes.

2.0 Proposal

- 2.1 The original application was submitted in 2014 and has since been amended. Initially approval was sought for works to facilitate 4 bungalows on pontoons. The amended application seeks to facilitate 4 genuine houseboats. As such, the revised proposal seeks to change the use of the land to allow for the permanent mooring of four houseboats and for engineering works and pontoons to facilitate their provision; both elements require planning permission in their own right. Access to the houseboats from land is via Whitworth Crescent where four parking spaces and refuse storage are provided. Part of the front boundary screen and the Oak Tree are to remain to retain some of the landscaping boundary.
- 2.2 A ramped access slope leading to four pontoons between each boat is proposed to gain access to these houseboats. In addition to the ramped access landscaping and garden areas are proposed to allow for some supplementary landscaping. Each pontoon is proposed to accommodate houseboats with a maximum length of 19.8m and width of 4.5m. Access to them would be above the high water mark.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Saved Local Plan Policy CLT13 provides the policy framework for dealing with applications for houseboats. It states that planning permission for houseboats will only be granted where the design and siting of the houseboats does not unacceptably harm the character of the river frontage or adversely affect nature conservation interests. It adds that suitable arrangements should be made for parking, refuse storage, access and servicing.
- 3.3 Marine Planning has responsibility for planning to the mean high water mark with land-use planning to the mean low water mark. The Marine Policy Statement (March 2011) provides the policy framework for marine related development and is supportive of sensitive marine and water-related development in principle.
- 3.4 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies

accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

4.1 In 1993 planning permission (930663/E) was given for the subdivision of the site into 4 separate plots for use as private boating facilities with the construction of pontoons. The development has been implemented and officers confirmed this in writing in January 1999. This scheme is similar to the scheme seeking approval with the exception of the proposed residential use. The site's full planning history is set out at **Appendix 2**.

5.0 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (05.09.2014 and following amended plans 12.06.2015). At the time of writing the report **16 representations** have been received from surrounding residents (including comments from City of Southampton Society). The following is a summary of the relevant planning related points raised:

5.2 The proposal would detrimentally affect the wildlife in the area especially swans

Response

The planning application is supported by an extended Phase 1 Habitat Survey. The Council's Ecologist has assessed the application and has not objected to the scheme on these grounds. However, a condition protecting nesting birds is suggested. The submitted Survey recommends further survey work is undertaken and a planning condition is recommended to ensure compliance.

5.3 The size of the boats should be restricted

Response

Agreed. A planning condition is suggested to limit the size of the boats.

5.4 The proposal results in overlooking between the boats and the neighbouring house boat adjacent

Response

There are no privacy distance restrictions for distances between boats but regard should be had to the proximity of proposed houseboats to other residential uses. The relationship between the four proposed mooring areas is a 'buyers beware' situation and the distance proposed between mooring is similar to those found on other sites around the country, including along the Itchen itself. There is a 7m separation distance retained between the existing house boat at 75 Whitworth Crescent and the nearest houseboat proposed. This is at an acceptably oblique angle. The outlook from this existing houseboat will alter but not to the detriment of these occupiers.

5.5 The site lies in an area defined as Waterside Open Space

Response

This is correct. Local Plan Policy CLT12 explains that only private shore-based facilities and pontoons will be permitted in this location. Policy CLT13 also confirms that the principle of further houseboats is acceptable. The Council's Planning Policy team have not objected to the application.

5.6 The proposal will have an impact on the Oak tree covered by a Tree Preservation Order

Response

The proposal has been designed to move works away from the tree and conditions are suggested to provide details of the parking area and refuse storage to control the level of groundworks required to be undertaken - as well as requiring the submission of an Arboricultural Impact Assessment and Method Statement. The Council's Tree Officer is satisfied that the development can take place without prejudicing the TPO.

5.7 Noise and disturbance

Response

The site lies in an area that is mainly residential in character where the introduction of a further four residential units would not detrimentally alter the character of the area or impact negatively on neighbouring occupiers. Residents in Whitworth Crescent will experience increased activity from the site if permission is granted. A similar level of activity could, however, arise if the earlier extant permission were to be completed. The level of activity and the associated comings and goings and noise will not, assuming reasonable behaviour, be out of keeping with this residential street. No objection has been raised by the Council's Environmental Health Officer on these grounds.

5.8 The proposal would result in a precedent

Response

Every application is assessed on its own merits. Further applications for houseboats will be assessed against the development plan that is in place at that time.

5.9 The introduction of car parking spaces within the streetscene would be harmful

Response

The character of the area would be altered by the proposal but the scheme has been designed to minimise the loss of the landscape boundary along Whitworth Crescent. The impact on the streetscene needs to be weighed against the provision of four housing units, which aid the Council's housing supply. A similar parking layout can be implemented to support the scheme approved in 1993.

5.10 Applications for residential units/boats houses have been refused since

1960

Response

Applications have to be assessed within the policy framework at the time of determination and a lot of planning policy changes have occurred since the 1990s, including the adoption of Local Plan Policy CLT13. An application for a houseboat at 51 Whitworth Crescent was approved in 2007 and the current scheme should be assessed on its own bespoke merits and characteristics regardless of other schemes on other sites.

5.11 The site does not lie solely within the applicants ownership

Response

No proof or information has been provided to indicate this is the case. Therefore, as Certificate A has been submitted that is sufficient for the purposes of the application and its determination. If once permission is granted the site is found to belong, whether in full or in part, to somebody else this becomes a civil matter and not a matter to influence the determination of this application.

5.12 Earth works are required as part of this application

Response

The applicant has confirmed that none of the existing soil will be removed but that it will be redistributed throughout the site. At the current time it is considered that further details are required before planning permission can be granted. The officer recommendation is to delegate approval for this scheme subject to details setting out the reworking of the land levels for this site in more detail. A condition preventing any works encroaching onto the intertidal mudflats (SINC) is also suggested.

5.13 Concerned about fire safety issues

Response

Houseboats are exempt from Building Regulations, which would normally pick up the issue of means of escape during a fire. However, Hampshire Fire and Rescue Service has been consulted on the application and have not objected on these grounds.

Consultation Responses

5.14 SCC Highways - No objection raised

One for one parking has been provided in line with policy and subject to conditions requiring the provision of cycle storage and a condition securing the size of parking spaces, in line with policy to secure a bigger gap between the two sets of parking spaces, the proposal is acceptable on highway grounds.

5.15 SCC Policy - No objection raised

Under Local Plan Review CLT 12 'Waterside Open Space' this site is designated as open space where development is restricted. However the policy permits '*private-shore based facilities and pontoons*' providing they do not involve the '*provision of facilities to serve moorings outside the site; or the introduction of commercial or industrial type activities*'. This policy replaces policy G22b from the City of Southampton Local Plan 1991-2001. This plan also designated the area as open space and restricted development apart from '*the development or*

redevelopment of private-shore based facilities and pontoons' providing they met the criteria set out. In policy G22b this included criteria that development does not 'damage the character of the area as a predominantly waterside open space by the introduction of commercial or industrial type activities'.

- 5.16 The provision of pontoons and mooring of boats in this location could be acceptable under policies CLT 12 (and G22b) and this has been established by the previous planning permission. The issue here is whether the mooring of houseboats in particular is acceptable in this location or would it unacceptably harm the area. This is addressed in Local Plan Review policy CLT 13 'House Boats' which sets out the criteria for granting permission for house boats. These address the impact on the character of the river, nature conservation interests and amenity issues (parking, refuse, access and services).
- 5.17 Part of the character of this area of the River Itchen is due to boats being moored on the river. The applicant is proposing to submit details of the boats to be moored and restrict their size. Providing there are no nature conservation issues or harm that would result from either the size or design of the boats themselves or the services associated with permanent residence, no objection is raised. Planning Policy would support the reduction in car parking spaces proposed to reduce the impact of this proposal on the street scene. Glass recycling and cycle storage taking the place of additional car parking spaces should be designed to minimise the visual impact from Whitworth Crescent. Subject to the detailed design of the parking spaces, waste, recycling and cycle storage. Planning Policy does not object to the proposal.
- 5.18 **SCC Trees - No objection raised**
The significant trees along the boundary of the site are protected by The Southampton (Whitworth Crescent) Tree Preservation Order 1994. They are a material consideration in the determination of this application.
- 5.19 The proposed location of the bin store, as shown on site plan 376-02 Rev F, shows the its location being in close proximity to a protected Oak on site and to the adjacent Oak on neighbouring land. If this area falls within the Root Protection Area (RPA) of these trees a method statement on how this area is to be constructed is required. If this area falls within the RPA standard foundations and an increase of land level, would not be supported, therefore an alternative engineering solution would need to be considered. Further clarification would be required to show the location of the RPAs and a tree survey will be required prior to commencement of the development. The plan also shows that a water supply will be routed in close proximity to the trees. Clarification on how this is to be installed whilst protecting the tree is required within a method statement. Conditions securing an Arboricultural Impact Assessment and Method Statement are suggested.
- 5.20 **SCC Ecology - No objection raised**
Subject to the submission of a Construction Environmental Management Plan to be secured via condition. The additional information submitted has largely addressed previous concerns although one issue, the impact of silt mobilisation on Atlantic salmon remains. Atlantic salmon, a species for which the River Itchen Special Area of Conservation (SAC) is designated, regularly pass the application site whilst moving between the SAC and the sea. The presence of silt can act as a barrier deterring the movement of salmon. Measures will therefore be required

to minimise the loss of silt from the application site and hence avoid adverse impacts on Atlantic salmon. These measures should be set out in the Construction Environmental Management Plan (CEMP). The CEMP should also include details of the piling methodology and timing and any measures designed to safeguard otters.

5.21 SCC Sustainability Team - No objection raised

As mobile and transportable homes are not covered by the building regulations, the water requirements as per Core Strategy Policy CS20 can apply and therefore a condition securing the water usage are suggested.

5.22 SCC Archaeology - No objection raised

Although the site lies adjacent to the Porstwood, Highfield and St Denys local area of archaeological potential the potential for archaeological deposits to survive on site is low.

5.23 SCC Environmental Health (Pollution & Safety) - No objection raised

No objection subject to a condition securing details of the use of piling.

5.24 Environment Agency - No objection raised

The houseboats would remain above the predicted future flood level (as they are assumed to float) and there would also be access to higher ground at the site itself. The area shown as car parking is above the 1 in 200 year design event for this area.

5.25 Hampshire Fire and rescue - No objection raised

Officers recommend a fire point should be made available on the approach to the houseboats containing firefighting equipment and that the all the houseboats should have alarms.

5.26 Southern Water - No objection raised

Subject to an informative requiring connection to the public sewerage system.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- Principle of development and change of use;
- Impact on the street scene;
- Residential Amenity;
- Ecology, Flooding and Tree issues; and
- Highway safety
- S.106 mitigation

6.2 Principle of Development and change of use

6.2.1 The principle of development is acceptable. The proposal seeks to provide 4 houseboats located along the shore of the Itchen River. Each houseboat to be moored would be approximately 19.8m long by 4.5m wide and 4.5 m high. The site is located within an area of protected waterside open space where no development other than the provision of private shore-based facilities and pontoons are to be approved. This proposal seeks to provide private pontoons in line with this policy and the approved scheme. Policy CLT13 leads on from this

as it sets out the circumstances when houseboats will be acceptable. The policy states that houseboats are acceptable provided their design and siting does not unacceptably harm the character of the river frontage or adversely affect nature conservation interests; and suitable arrangements can be made for parking, refuse storage, access and service connections. Officers feel that this is the case here as set out in the planning considerations below.

- 6.2.2 The local context is mixed in character with residential dwellings on Whitworth Crescent and various outbuildings/summerhouses located between Whitworth Crescent and the foreshore. Along the foreshore it is clear there are a number of moorings within this stretch of Whitworth Crescent. The proposal will result in a change of use from leisure based mooring to residential mooring but as the houseboats will be similar in design and size than other boats within the area the change of use is not deemed to be detrimentally harmful.
- 6.2.3 The site is located within the policy area for the South Inshore and South Offshore marine plan which is secured by the Marine Policy Statement 2011 (MPS). The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment. The scheme is in line with the provision and principles set out in MPS. This proposal seeks to introduce compatible activities and therefore is in line with the MPS.

6.3 Impact on the street scene

- 6.3.1 The erosion of the street scene by the introduction of parking spaces has already been approved in 1993 application, and these works could take place at any time. This revised scheme results in an improvement to the proposed street scene as the scheme reduces the loss of the landscaped boundary along Whitworth Crescent as fewer parking spaces are now proposed. The retention of a landscape boundary is achievable by the reduction of parking spaces to one space per unit, in comparison to the eight approved within the commenced scheme.

Whilst mooring a boat onto the pontoon is not development requiring planning permission it is felt that any houseboat with a degree of permanency could impact upon the visual amenity of the river. A planning condition is recommended to ensure that, despite the indicative nature of the submitted elevations, in the event that the moorings are used on a semi-permanent basis that the Local Planning Authority should retain control over the visual appearance of the houseboats themselves. This approach offers reasonable flexibility to the applicant in terms of providing a mooring and the planning authority in terms of ensuring the character of the area is not unduly harmed by the siting of inappropriate structures.

6.4 Residential Amenity

- 6.4.1 In the case of side by side houseboat moorings such as this, there will inevitably be mutual overlooking and impact on the outlook from habitable rooms, since windows are typically orientated on the sides of the vessels. However, this impact is usual and occupiers will be aware of this relationship. Houseboats are not static and this relationship may change over time due to a change in boat. There are no standards for privacy distance for a development of this type but the nearest neighbour is 7 metres away and set closer to the foreshore so the views into the houseboats would not be sufficiently detrimental. The impact upon existing residential amenity will be negligible.

- 6.4.2 Each houseboat has its own electric metre and connects into the mains water supply and waste pump, which will empty into the public sewerage system. Each house boat is accessed via a ramped walkway which will be landscaped by beech shrubs and other non-berry shrubs to prevent issues of encouraging birds and potential bird strike by aircraft
- 6.5 Ecology, Flooding and Tree issues
- 6.5.1 An area of garden is proposed for each plot between the walkway and the foreshore. The proposal includes the provision of bat boxes to be located within the existing oak tree.
- 6.5.2 The proposed development will result in works to the foreshore and the bank which will result in a loss of habitat due to the overgrown nature of the site. Details of the works required to undertake this development in terms of the digging out and relocating the land are secured within the officer's recommendation, which requires details of these works to be submitted prior to approval being given.
- 6.5.3 The applicant has confirmed that none of the existing soil on the site will be removed as part of the proposals but instead, it will be redistributed around the site. All of the soil on the site is the result of digging out the original bank which ran the whole width of the site, to enable the installation of the footing for the retaining wall constructed pursuant to the extant 1993 planning permission for the site. This soil was deposited in the centre of the site at this time. Following completion, some of the soil was then relocated to the northern part of the site to allow the plant and machinery to leave the site. Following installation of the services proposed as part of the current application this soil would be redistributed across the site.
- 6.5.4 The Council's Ecologist is satisfied that the proposal will not be harmful providing the attached conditions are enforced. Further information on how the work is going to be undertaken without damaging the habitat of the Atlantic salmon, which would be detrimentally affected if silt mobilisation occurs, is sought. In addition, details of how measures to secure the habitat of otters is also required. The site adjoins the SINC mudflats and therefore in order to protect these areas a condition is secured to prevent works to this area. Works should only take place on the reclaimed land and the bank.
- 6.5.5 The site is located within flood risk zone 3, however, the fixed parts of the proposed development are to a height of 3m. In this location the required height for fixtures due to predicted flooding level is 2.7m so there will be safe egress for occupiers should they need it. On this basis the Environment Agency is satisfied that the proposal, due to the level of the walkway proposed, provides a safe access and egress during a flood event.
- 6.5.6 The oak tree protected by a Tree Preservation Order (TPO) within the site on the boundary provides great amenity value within the street scene and privacy for the site. The reduction in car parking spaces, which are to be located at the northern end of the site, provides a greater separation distance from the Oak tree set by the 1993 permission ensuring that the proposals will reduce the proposed impact on the tree. Details of the refuse storage are required to ensure the proposed groundworks will not harm the root protection zone of the protected tree. The

trees within the site, and their protection, are key and tree protection conditions are recommended to safeguard the trees during development.

6.6 Highway safety

6.6.1 The proposal provides four parking spaces (one for each houseboat) and a screened shared bin storage area is provided fronting Whitworth Crescent. Space is also available for cycle storage which will be secured via condition.

6.6.2 The provision of one car parking space per units has raised no objection by highway officers. This is deemed to be an appropriate standard to adopt in these circumstances given the site's proximity to the Bitterne Triangle services and the railway itself. The application is not supported by a parking stress survey, despite requests, and the development plan does not insist that one should be undertaken with every residential scheme. However, a recent scheme for 9 flats at 74 Whitworth Crescent (LPA 15/00610/FUL) was approved in June 2015 by the Planning Panel with the provision of 5 on-site spaces for the site. The survey area for this neighbouring scheme covers Whitworth Crescent to the north up to where it meets Cobden Avenue (a distance of 220m), Whitworth Crescent to the south for another 220m up to where it turns shapely south east, and also includes Harcourt Road which measures 170m to the east. The survey was carried out on two separate occasions, both mid-week and outside of school and public holidays. The surveys, which were undertaken on 11 and 12 March 2015, were carried out at 01:00 and 04:00 when occupancy levels would be at their highest.

6.6.3 The survey area included a total of 120 available on road parking spaces and on 11 March 2015 74 were occupied leaving 46 available; and on the 12 March 2015 there were 67 that were occupied and thus 53 remained available. The results of the survey demonstrated that the survey area can cope with any overspill parking should 1:1 parking not be sufficient.

6.7 S.106 Mitigation

6.7.1 The level of development proposed is below the Council's threshold for needing a S.106 legal agreement. The application was also submitted prior to the Council's requirement for seeking contributions from residential development towards the Solent Disturbance Mitigation Project (SDMP). As such, no off-site contributions are necessary to support the scheme.

7.0 Summary

7.1 The application for 4 residential houseboats follows an extant permission for 4 recreational moorings from 1993. The physical works associated with this change of use are deemed to be appropriate to the character of the area, local ecology, residential amenity and highway safety. Overall, the change of use of the site to residential, and the provision of pontoons, will alter the character of the area but not to the detriment of the existing waterside characteristics. The retained boundary along Whitworth Crescent has been consented. The proposal provides sufficient facilities for parking, refuse storage, access and service connections without resulting in harm to the character of the river frontage or the nature conservation interest within the vicinity the scheme. The application is deemed to be compliant with the adopted development plan.

8.0 Conclusion

8.1 The application is recommended for approval subject to securing the matters set out in the recommendations section of this report and the conditions set out below.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1(a)(b)(c)(d), 2(b)(d), 4(f)(qq), 6(c)

ARL for 04/08/2015 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION – Car parking layout [Pre-Commencement Condition]

Prior to development commencing a detailed plan of the parking area demonstrating where the proposed car parking spaces are to be located, their size to comply with current standards and their allocation on a 1:1 basis shall be submitted to and be agreed in writing by the Local Planning Authority prior to the commencement of development. The agreed scheme shall be implemented in accordance with the approved plans prior to the first occupation of the development. The parking shall be retained to serve the approved use..

Reason:

In the interest of highway safety.

03. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement (CMS) for the development. The CMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of demolition and construction; (f) details of demolition and construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during demolition and construction will be mitigated. The approved CMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

04. APPROVAL CONDITION – Details of the pontoons & boats [Pre-Commencement Condition]

Further details of the design and appearance of the proposed pontoons shall be submitted to and agreed with the Local Planning Authority prior to the commencement of the development hereby permitted.

Any houseboat to be moored on a long-term basis (ie. for more than 3 months) shall not be sited as approved until full details of the external appearance of the superstructure have been submitted to the Local Planning Authority for approval in writing, particularly in relation to the materials to be used and the external finishes to both boat and superstructure.

No houseboat larger than 19.8m length, 4.5m width and 4.5m height (above the waterline) shall be moored at the site.

The development shall be carried out in accordance with the approved details.

Reason:

In the interests of ensuring that the new development is constructed in accordance with the submitted details and to secure a harmonious form of development.

05. APPROVAL CONDITION - Removal of Permitted Development [performance condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking or re-enacting that Order, no development permitted by class E (outbuildings, enclosures or swimming pools) and F (hard surfaces) of Part 1 of Schedule 2 of the Order, shall be carried out without the prior written consent of the Local Planning Authority for the houseboat hereby approved.

Reason:

In order to protect the amenities of the locality and to maintain a good quality environment and in order to ensure that sufficient private amenity space remains to serve both dwellings.

06. APPROVAL CONDITION - Storage / Removal of Refuse Material [Pre-Occupation Condition]

Before the houseboats are first occupied full details of facilities to be provided for the storage and removal of refuse from the site, together with the provision of suitable bins accessible with a level approach shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include accommodation and the provision of separate bins for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for residential / commercial purposes.

Reason:

In the interests of visual amenity, the amenities of future occupiers of the development and the amenities of occupiers of nearby properties.

07. APPROVAL CONDITION - Cycle storage facilities

Adequate cycle storage facilities to conform to the Local Planning Authorities standards shall be submitted to and be approved in writing by the Local Planning Authority prior to

the commencement of development. The agreed cycle stores shall be provided within the site before the use hereby permitted is occupied. All storage shall be permanently maintained for that purpose.

Reason:

To prevent obstruction to traffic in neighbouring roads and to encourage cycling as an alternative form of transport.

08. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- iv. details of any proposed boundary treatment, including retaining walls; and
- v. a landscape management scheme.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

09. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be

maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

10. APPROVAL CONDITION - Tree survey plan [Pre-Commencement Condition]

No operation in connection with the development hereby permitted shall commence on site until an accurate plan showing the position of all trees on site has been submitted and agreed in writing with the Local Planning Authority.

Reason:

To ensure easy identification of all trees to be retained pursuant to any other condition of this decision notice.

11. APPROVAL CONDITION - Arboricultural Protection Measures [Pre-Commencement Condition]

No works or development shall take place on site until a scheme of supervision for the arboricultural protection measures has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction and personnel awareness of arboricultural matters
- Identification of individual responsibilities and key personnel
- Statement of delegated powers
- Timing and methods of site visiting and record keeping, including updates
- Procedures for dealing with variations and incidents.

Reason:

To provide continued protection of trees, in accordance with Local Plan Policy SDP12 and British Standard BS5837:2012, throughout the development of the land and to ensure that all conditions relating to trees are being adhered to. Also to ensure that any variations or incidents are dealt with quickly and with minimal effect to the trees on site.

12. APPROVAL CONDITION - Tree Retention and Safeguarding [Pre-Commencement Condition]

All trees to be retained pursuant to any other condition of this decision notice shall be fully safeguarded during the course of all site works including preparation, demolition, excavation, construction and building operations. No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any site works commence. The fencing shall be maintained in the agreed position until the building works are completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

Reason:

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

13. APPROVAL CONDITION – Details of ecological mitigation [Pre-Commencement Condition]

Before any development or demolition works are commenced the details required below shall be submitted to and approved in writing by the Local Planning Authority;

- how the development will take place without resulting in silt mobilisation including measures to minimise the loss of silt from the application site;
- details of the piling methodology and timing – see also condition 16
- measures designed to safeguard otters and other protected species. .

The approved scheme of works shall be implemented and any measures requiring retention in situ shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason

To prevent a detrimental impact to the protected species (Atlantic Salmon and Otters) on the River Itchen Special Area of Conservation (SAC).

14. APPROVAL CONDITION – No works on the intertidal mudflats [Performance Condition]

Notwithstanding the approved plans no development shall take place at any time within the protected intertidal mudflats unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason

To prevent a detrimental impact on the River Itchen Special Area of Conservation (SAC)

15. APPROVAL CONDITION – Biodiversity

The development shall be carried out in accordance with the recommendations contained within the Extended Phase 1 Habitat Survey (dated 21st February 2013). All survey work shall be completed prior to the commencement of development with any mitigation required agreed with the Local Planning Authority prior to the commencement of development and implemented in accordance with agreed timescales.

Reason:

In the interests of the site's local importance to biodiversity

16. APPROVAL CONDITION - Protection of nesting birds [Performance Condition]

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

17. APPROVAL CONDITION- Unsuspected Contamination [Performance Condition]

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

18. APPROVAL CONDITION - Use of uncontaminated soils and fill [Performance Condition]

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

19. APPROVAL CONDITION - Piling [Pre-Commencement Condition]

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority prior to the commencement of development), a piling/foundation design risk assessment and method statement for the preferred piling/foundation design/designs shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the selected piling method can be justified on the grounds of structural, geotechnical, contamination, noise, vibration and practicability and ensure any adverse environmental impacts are identified and appropriate mitigation measures are proposed

Condition Informative 1

Guidance is provided in the Environment Agency's publication NC/00/73, Piling and Penetrative Ground Improvements Methods on Land affected by Contamination: Guidance on Pollution Prevention, section 6.5

Condition Informative 2

Guidance suggests maximum vibration of 1mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of the nearest occupied residential building and a maximum vibration of 3mm/sec Peak Particle Velocity (measured in any one direction) at the foundations of an occupied commercial building.

20. APPROVAL CONDITION - 'Water' [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of water efficiency calculator and documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

21. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied unless and until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority and subsequently implemented and maintained for use for the life of the development.

Reason:

To ensure satisfactory drainage provision for the area.

22. APPROVAL CONDITION - Hours of work for Demolition / Clearance / Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

23. APPROVAL CONDITION - Contractors Compound (Pre-Commencement Condition)

No commencement of work pertaining to this permission shall be carried out on the site unless and until there is available within the site, provision for all temporary contractors buildings, plant and storage of materials associated with the development and such provision shall be retained for these purposes throughout the period of work on the site; and the provision for the temporary parking of vehicles and the loading and unloading of vehicles associated with the phased works and other operations on the site throughout the period of work required to implement the development hereby permitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To avoid undue congestion on the site and consequent obstruction to the access in the interests of road safety.

24. APPROVAL CONDITION - Wheel Cleaning Facilities [Pre-Use Condition]

During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.

Reason:

In the interests of highway safety.

25. APPROVAL CONDITION – Restriction on number of boats [Performance Condition]

At no time shall more than four boats be moored to the pontoon hereby permitted. No boat shall in any case be so moored as to project beyond the outer support pile.

Reason:

To protect the character of the area and in the interests of the visual amenities of nearby residents and of users of the Riverside Walkway.

26. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning

Informative – Hampshire Fire & Rescue

Advice from Hampshire Fire and Rescue recommends that a fire point should be made available on the approach to the houseboats containing firefighting equipment and that all the houseboats should have an appropriate alarm system installed to support the residential use.

Informative – Southern Water

A formal application to requisition water infrastructure is required in order to service this development. The applicant/developer should also enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW – T.0330 303 0119.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS12	Accessible and Attractive Waterfront
CS13	Fundamentals of Design
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS23	Flood Risk

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP16	Noise
SDP20	Flood risk and coastal Protection
SDP22	Contaminated Land
SDP23	Unstable Land
NE3	Sites of local Nature Conservation Importance
NE4	Protected Species
NE5	Intertidal Mudflat Habitats
HE6	Archaeological Remains
CLT3	Protection of Open Spaces
CLT12	Waterside Open Space
CLT13	House Boats

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

12/00342/PREAP1 Change of use from pontoons and jetties for leisure craft to 4 house boats with services and parking. 30.08.12

930663/E **Conditionally Approved 16.12.1993.**
Subdivision of site into 4 separate plots for use as a private boating facilities with the construction of pontoons.

910259/EX Refused and Dismissed at Appeal 09.02.1993
Application for established use certificate for use as a boat yard (service moorings repairs and maintenance).

910881/E Refused 28.11.1991.
Provision of mooring facilities with the ancillary erection of a workshop/store and car parking facilities

910881/E Refused 28.11.1991
Ancillary erection of a workshop/store and Car parking facilities

901166/E Refused 21.11.1990
Revision of mooring facilities, with ancillary Shop / Store and car parking facilities

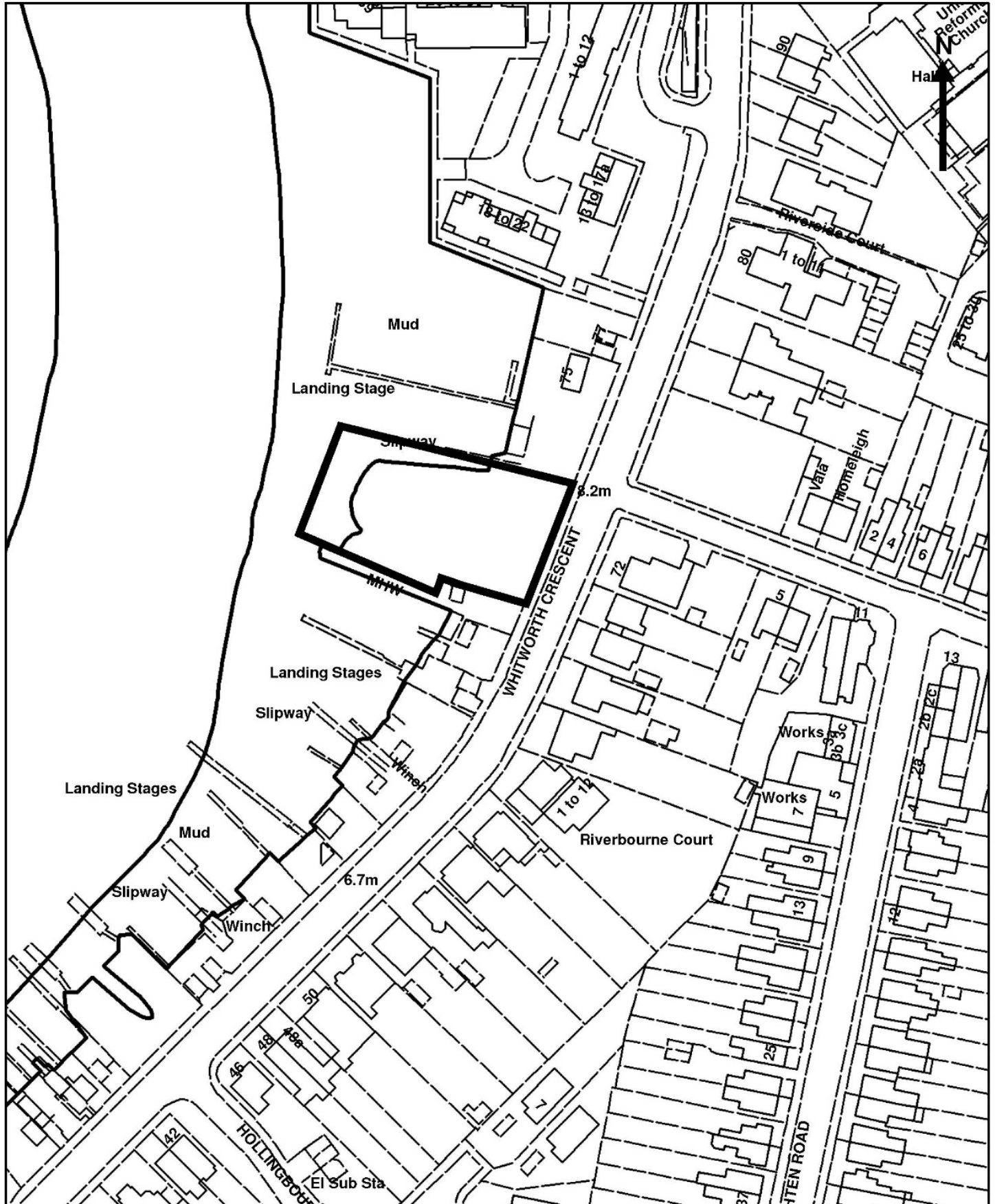
900414/E Refused 20.03.1990
Redevelopment of the site by the erection of 7 dwellings

871172/E Conditionally Approved 27.07.1987
Three gates across entrance -.

E04/1648 Refused 16.07.1984
Boathouse with flat over

1171/P17 Refused and Dismissed at Appeal 16.02.1960.
Bungalow

14/01431/FUL



Scale: 1:1,250

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Agenda Item 7

Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 4th August 2015
Planning Application Report of the Planning and Development Manager

Application address: Boldrewood Campus, University Of Southampton, Burgess Road, Southampton			
Proposed development: Construction of a 4 storey building to provide 5620 square metres of floorspace for University use (Class D1) and associated surface car parking to provide 59 parking spaces, together with access, landscaping and cycle store - description amended following to increase the floorarea by 167sq.m formed within an extended basement.			
Application number	15/01025/FUL	Application type	FUL
Case officer	Stephen Harrison	Public speaking time	15 minutes
Last date for determination:	10.08.2015 (IN TIME)	Ward	Bassett
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors	Cllr J Hannides Cllr B Harris Cllr L Harris

Applicant: University Of Southampton	Agent: Luken Beck Ltd
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The broad principle of the proposed building (in terms of siting, bulk and scale) and the parking numbers associated with the University have already been established by earlier planning permissions. The variations from the outline permission have been properly considered. The chosen contemporary design solution is fitting for the site and the recently approved Maritime Centre of Excellence, for the reasons detailed in the report to the Planning and Rights of Way Panel on 4th August 2015. The chosen design and landscape mitigation proposed reduces any further impact on the neighbouring residential property and controls are in place to lessen the impact during the construction phase. Other material considerations do not have sufficient weight to justify a refusal of the application. The scheme is therefore judged to be in accordance with the development plan as required by Section 38 (6) of the Planning & Compulsory Purchase Act 2004 Planning Permission should therefore be granted.

Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, NE6, L7 of the City of Southampton Local Plan Review - Adopted March 2006 – amended 2015 - as supported by policies CS6, CS11, CS13, CS18, CS19, CS20, CS22 of the adopted LDF Core Strategy 1010 – amended 2015 - as

supported by the relevant national planning guidance and the Council's current supplementary planning guidance listed in the Panel report.

Appendix attached			
1	Development Plan Policies	2	Relevant Planning History
3	11/00963/TIME Decision Notice	4	Layout of Appendix 3

Recommendation in Full	Conditionally Approve
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Background

This application for the final phase of the Boldrewood Campus redevelopment follows a long and complicated planning history. Outline planning permission was first granted for the redevelopment of the application site for 32,000sq.m of university non-residential institutional use (Class D1) served by 468 parking spaces in 2008 (LPA: 07/00985/OUT as extended by 11/00963/TIME). This permission gave broad parameters for each building (A-H and 2 car parks) with a maximum build envelope to each building so that the University had flexibility in working up their scheme, and the Council had a maximum allowance against which it could assess a planning application. A copy of this outline permission, and the approved layout of the different blocks, is attached to this report at **Appendix 1**.

Following the outline permission a fully detailed permission for Phase 1 was issued in 2009 (LPA: 08/01097/FUL) and this included the Lloyds Register (LR) office building as part of the wider 'Maritime Centre of Excellence'. The LR building was considered as a departure from Policy L7 of the Local Plan Review. A multi-deck car park (LPA: 11/00499/FUL) and Block H (LPA: 12/01167/REM) have also been completed as part of a second phase of development.

The current application seeks detailed approval for a building on the agreed location for Blocks D and G with a location, footprint and building envelope that differs from that set at the outline planning stage. The current proposals for Block D/G represent the site's final phase of development and comprises university uses that are consistent with the requirements of Local Plan Policy L7. Blocks E and F (as approved) no longer form part of the overall proposals. There is a reduction to the parking numbers approved at the outline stage as part of this application. As such the application cannot be considered under a 'Reserved Matters' submission attached to the outline planning permission and a fresh fully detailed planning application and permission are required.

If Block D/G is approved and built the Boldrewood Campus would be completed with a total of 25,969sq.m of useable floorspace, well below the 32,000sq.m originally approved and also below that accommodated by the site's original building (31,735 sq.m).

1.0 The site and its context

1.1 The Boldrewood Campus is located at the junction of Burgess Road and Bassett Avenue and has a wider site area of approximately 4.4 hectares. It is currently a building site, albeit the development of new buildings on its public edges are largely complete following a 7 year intensive design and build programme, and the demolition of the former 1960s biomedical teaching block. Works have recently been completed on the Lloyds Register building, Block B, Block H, Car Park 1 and a landscaped setting.

- 1.2 The wider site is defined by a 12 metre change in level (from the north-west corner) and its landscape setting, which is itself formed, in part, by the Southampton (Boldrewood, Burgess Road/Bassett Avenue) Tree Preservation Order 2007.
- 1.3 The Boldrewood site is located some 50 metres from the Southampton Common Site of Special Scientific Interest (SSSI) and Site of Importance for Nature Conservation (SINC). The site is located within Flood Zone 1, where there is a low probability of a flood event.

2.0 Proposal

- 2.1 The University of Southampton seek full planning permission to complete the redevelopment of their Boldrewood Campus, by varying the manner in which the site is to be completed. The proposed final phase differs from that shown at the outline approval stage (LPA ref: 07/00985/OUT). Whilst the outline masterplan sets broad parameters for redevelopment, and these have been largely followed with the current proposals, the University seek to complete the scheme by amalgamating the building envelopes of Blocks D & G into a single building in the centre of the site.
- 2.2 At the outline planning stage Blocks D and G equated to a maximum of 1,195sq.m and 1,656sq.m of academic floorspace respectively. This equates to a combined total of 2,851sq.m. Blocks E and F were approved with a further 3,312sq.m, although the University no longer wish to pursue these buildings, meaning that a total of 6,163sq.m remains approved for these 4 blocks but not built.
- 2.3 The applicants do not have to complete their development in accordance with the outline planning permission, but must seek a further planning permission for any significant variations as is the case with this current scheme. The key changes are as follows:
- 2.4 The Previously Approved Building – ‘Block D’
The outline permission established the principle for a building running northwards from the rear of the existing annex building. Block D is located to the west of the rear gardens to those residential neighbours located at The Cloisters. The building was fixed with a maximum height (8 metres – maximum of 67m Above Ordnance Datum (AOD)), width (19 metres) and depth (39 metres). A maximum floor area of 1,195sq.m was also set.
- 2.5 The Previously Approved Building – ‘Block G’
The outline permission established the principle for a centrally located building that had the flexibility to be sited in an agreed location that is set off from the neighbouring boundary with the neighbours fronting The Cloisters. The building itself was fixed with a maximum height (14 metres – maximum of 73.5m AOD), width (17 metres) and depth (32 metres). A maximum floor area of 1,656sq.m was also set.
- 2.6 The Proposed Building – Block ‘D/G’
Grimshaw Architects have been chosen by the University to design the final building for this part of the Boldrewood Campus. Grimshaws also designed the Lloyd’s Register building (Block A) and neighbouring Block B which is located at the site’s new entrance; both buildings are now built and occupied.

- 2.7 The proposed building D/G comprises 5,620sq.m of floorspace (and represents an increase in floorspace for these blocks of 2,769sq.m). It is set into the ground with a basement level to partly minimise the impact of this additional floorspace and provides part-two/part-four storeys of above ground university accommodation. The change in levels across the site, and the use of the levels to incorporate a basement, means that the building has different finished heights depending on where within the site it sits. For instance, the smaller two-storey wing, which sits closest to The Cloisters has a finished height from ground floor to parapet of between 12m and 13.55m (with a consistent 69.75m AOD).
- 2.8 The building's scale is greatest towards the centre of the site (as it steps away from the residential neighbours and where the building's finished height is 16.85m from ground floor to parapet level (74.6m AOD). This is also where the breach to the consented build envelope is at its greatest. A flue extends from the roof in this location taking the development's overall finished height (including the basement and flue) to 24.8m (78.8m AOD). The main function of the flue is to provide the exhaust for the CHP Energy Centre located on the ground floor and basement of the building.
- 2.9 The proposed building has a maximum width of 29.5m and a length of 65m. At the nearest point to the boundary with The Cloisters there is a separation distance of 21m. The closest building-to-building separation distance at this point is 32m, at which point the separation distances increase as the site tapers. The related site boundary is marked by mature planting, which is to be supplemented. The approved cycle store in this location (to serve Block H) is to be extended as part of this application. The store is designed with a flat roof and a height of between 2.65m and 3.65m.
- 2.10 Block D/G will comprise academic/research teaching space for heavy structures/geo-technical research, civil and environmental engineering with a Testing and Structures Research Lab (TSRL). The Engineering Department will be relocating from the Highfield Campus as part of this project.
- 2.11 In design terms the building will be constructed using a natural stone plinth and zinc and timber rainscreen with an anodised aluminium brise-soleil. Rooftop plant will be screened from view by timber cladding to the proposed parapet. The building has been designed with a comprehensive range of measures so as to achieve BREEAM 'Excellent', with on-site/integral Combined Heat and Power (CHP) helping to achieve a minimum of 15% reduction in regulated CO2 emissions. The building will be well insulated and glazing will be restricted to no more than 40% of the façade area.
- 2.12 Landscaping
It is proposed to enhance the existing mature screen that runs along the site's eastern and southern boundaries. Following a site meeting with the Council's Tree Officer the development proposes the loss of 12 trees (3 Category B, 6 Category C and 3 unclassified) and their replacement on a 2:1 basis in line with the Council's current requirements.
- 2.13 Parking & Access
The redevelopment of the entire Boldrewood Campus is approved in outline with 468 parking spaces. To date a total of 333 parking spaces have been provided in line with permissions 08/01097/FUL and 11/00963/TIME. These spaces are formed

by a surface car park for 168 parking spaces and 165 parking spaces located within Car Park 1, which is located to the north-west corner of the site.

- 2.14 The associated car parking for Block D/G will be provided to the east of the building. Car Park 2 was originally approved as a multi-decked car park with 124 parking spaces to serve the later phases of development. A reduction to the amount of car parking is, however, proposed by removing this car park from the scheme and replacing it with surface car parking with 59 spaces instead (representing a reduction of 65 spaces). The approved building had an approved maximum build height of 6 metres (61m AOD).
- 2.15 Occupation numbers in Block D/G have been estimated at 338 people in total. With a likely 3 students to 1 staff member this gives 254 students and 84 staff. With a current parking standard of 1 space per 15 students and 1 space per 2 staff this requires a maximum of 59 car spaces, as provided. The approved/proposed single storey cycle store is for 140 cycles with a further 62 spaces located outside the building (total 202 spaces).

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (amended 2015) and the City of Southampton Core Strategy (January 2010 – amended 2015). The most relevant policies to these proposals are set out at **Appendix 2**.
- 3.2 Local Plan Policy L7 is supportive of applications for academic, research and teaching facilities on university land as is proposed for Block D/G.
- 3.3 Major developments are expected to meet high sustainable construction standards in accordance with adopted Core Strategy Policy CS20 and Local Plan “saved” Policy SDP13. In this case the scheme is compliant with our policies and should achieve ‘Excellent’ under BREEAM – Building Research Establishment’s Environmental Assessment Methodology.
- 3.4 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.
- 3.5 The emerging Bassett Neighbourhood Plan (2015) has been through its examination ahead of a referendum and can be given weight in the planning process. It notes that ‘the Boldrewood Campus which has been redeveloped in partnership by the University of Southampton and Lloyds Register is expected to be completed in 2014 and will bring in excess of 400 highly qualified staff to work in the area. This will benefit the area economically and has already created a healthy demand for high quality family houses’. It adds that ‘there are current pressures on the existing on and off road parking facilities in the local area. Residents have expressed concern over the low levels of on site parking provision for the staff, visitors and students of the University of Southampton and Southampton General Hospital that exacerbate this situation’.

4.0 Relevant Planning History

4.1 The relevant planning history for the Boldrewood Campus is appended at **Appendix 3** of this report. Of most relevance are the outline permissions which established the masterplan for the redevelopment of the campus. These should be afforded significant weight in the determination of this current planning application. (LPA: 07/00985/OUT as extended by 11/00963/TIME). It should be noted that permission 11/00963/TIME expired on 28th June of this year, meaning that approved Blocks E, F and Car Park 2 couldn't be constructed without a fresh planning permission being given first.

5.0 Consultation Responses and Notification Representations

5.1 In accordance with good practice the University undertook their own pre-application public consultation event on 14th April 2015, and invites were sent to 156 of the site's nearest neighbours and stakeholders. The planning application summarises the responses and details how they have been addressed. 29 individuals attended the exhibition.

5.2 Following the receipt of the planning application a publicity exercise in line with department procedures was also undertaken which included notifying adjoining and nearby landowners, placing a press advertisement (29.05.15) and erecting a site notice (29.05.15). A further 14 days notification was undertaken following a request by the applicant for the proposed basement to be extended by a further 167sq.m.

5.3 At the time of writing the report **5** representations have been received including comments from the East Bassett Residents Association (EBRA)*. Planning related issues raised include:

5.4 ** EBRA do not object to the additional space within the proposed basement.*

5.5 **The large bulk of D/G is inconsistent with the overall symmetry of the site and with the high quality of landscaping, layout and appearance of the completed buildings. Some reduction in the length of the building to allow room for the originally planned line of trees at the north end would provide alleviation to its overbearing appearance. The building is closer to the residents of Oaklands Way than originally planned.**

5.6 Response

The northern elevation of Block D/G sits approximately 2 metres within the parameters plan approved at the outline stage, and is approximately 21 metres south of Block H. Any symmetry found within the previously approved layout was not a planning requirement, and was subsequently amended when a revised layout in support of Block H was approved. Whilst some trees that were originally shown are no longer proposed they are replaced in the eastern part of the site where Car Park 2 was originally consented. The development is considered to achieve a successful place by framing the central lawns and parking with another high quality building.

5.7 **Similarly it is felt that the proposed building is too tall. The building will dominate the outlook from nearby residents, particularly those looking towards the site along the Bassett Crescent East emergency access**

5.8 Response

The northern part of Block D/G is approximately 3.75m smaller than the wireframe approved for Block G. However, the proposed building is taller than the height approved at outline stage for Block D by 7.6m, with the additional bulk located towards the central lawns on the western wing of the proposed building and away from residential neighbours. The building steps down to the boundary with the nearest neighbours and retains a separation distance of 21 m to the closest boundary. The building is located more than 100m away from the site's Bassett Crescent East entrance, and whilst the building will be visible from this location, with such expansive separation it will not be dominant or harmful. It should also be remembered that the original Boldrewood building held a central position on the site with a comparable scale to that now proposed. The original building sat closer to the neighbours in The Cloisters and Bassett Crescent East than the proposed building. The planning application is supported by further shadow analysis and confirms that part of the rear garden of 3 The Cloisters will be in shadow at 5pm during the Spring Equinox (21st March). The impacts proposed are acceptable though given the location of the property's rear garage and the degree of overshadowing that will arise. As such, the building is considered to sit comfortably within the landscape and respects the neighbours and the broad intentions set at the outline stage.

5.9 **Residents of The Cloisters and Oaklands Way will be affected by noise and light from the surface car park and building itself. Some of these concerns appear to have been taken into account, but seek assurance that any complaints are dealt with swiftly and adequately.**

5.10 Response

The replacement of the site's existing soft landscaping and lawned area on the site's eastern third with a surface car park will result in additional noise, disturbance and lighting which neighbours will no doubt notice. In planning terms it is the significance of this change that needs to be assessed. This part of the site was originally earmarked for a multi-deck car park. The applicants have submitted a detailed 'Lighting Assessment' showing acceptable lightspill from the revised car parking.

5.11 The building itself has been designed with minimal fenestration along its eastern elevation reducing the building's impact. Block H partly screens the building's impact to the north and, perhaps most importantly, the site retains and improves on its existing mature landscaped boundaries. Separation distances between the building and its neighbours are generous, and the Council's Environmental Health Officer has been involved in this project from the start and has raised no objection to this planning application.

5.12 In response to the point regarding effective communication with neighbours the University have confirmed that the submitted Construction Method Statement will be finalised by the contractor appointed to construct the building. It is intended that the finalised version of the CMS will provide for regular contact between the contractor and neighbours to allow issues to be communicated and addressed.

5.13 **Flooding has frequently occurred at the north east corner of the Boldrewood site. It would appear that this is being taken into account in the submitted plans, but EBRA would wish for assurance that any complaints are dealt with swiftly and adequately.**

5.14 Response

The proposed peak discharge rate of 30l/s is in accordance with previously agreed discharge rates for the overall site which is no increase on existing rates. Furthermore, drainage has been designed to take surface water from the parking area and roof water from Block D/G off-site to sewers in Bassett Crescent East, with on-site storage (in the form of a 120 cubic metre attenuation tank) to mitigate the effects of heavy rainfall events. There is currently no positive drainage in the south-eastern part of the Boldrewood site and this, therefore, represents an improvement. The site is located in Flood Zone 1 (which is defined as having a low probability of flooding) and the Council's Flood Risk Management Officer has raised no objection to this planning application.

5.15 **Disturbance caused by the use of heavy machinery and vehicles moving across the site throughout the day will inevitably be experienced. The work proposed is expected to begin fairly soon and continue until spring 2018 - a long period in which disturbances might have adverse effects on physical and mental health.**

5.16 Response

It is recognised that neighbours to the site have endured a significant build programme since site works started in 2011. This has been mitigated in accordance with best practice and monitored. There has been regular contact between the University, their affected neighbours and the Council's Environmental Health Team to address issues as and when they arise. This is the final phase of development and planning conditions relating to hours of construction with a detailed construction methodology, that mitigates the harm as much as possible, are again recommended.

5.17 **Noise, vibration and dust monitors were provided for the site during the demolition and construction periods of Phase 1. It is disappointing to see that it is not proposed to install continuous noise or vibration monitoring to the boundary of the site. EBRA request that noise, vibration and dust monitors are installed during the whole construction period.**

5.18 Response

The submitted Construction Method Statement (CMS) satisfactorily addresses issues of potential disturbance during construction. Requirements on previous phases of the Boldrewood development for dust and vibration monitoring proved to be excessively costly, unnecessary and unduly onerous, requiring significant input from both the contractor and the City Council's Environmental Health Officers without readily identifiable benefits. Such requirements have not been asked of other (larger) high profile developments in the City with residential neighbours. It is not recommended that this final phase would need to monitor noise and vibration in the same way that the University did during the initial demolition phase and when the site was largely vacant. The Council's Environmental Health Officer has not requested the same level of monitoring for this phase, as with earlier phases, and whilst the CMS is again thorough and gives sufficient protection to residents the extra monitoring is not necessary.

5.19 **EBRA request that arrangements are put in place for a regular newsletter to be issued at agreed intervals and for regular meetings to be called at agreed intervals at a convenient location.**

- 5.20 Response
The University intend to continue their ongoing dialogue with affected residents and stakeholders as the scheme progresses. The request for a newsletter is not a planning matter.
- 5.21 **There has already been considerable concern about the impact of the Boldrewood redevelopment on the local environment. Bat activity has been associated with the University-owned No. 34 Bassett Crescent East. EBRA request that No. 34 Bassett Crescent East, including the roof area, is thoroughly investigated and the result made public.**
- 5.22 Response
A bat survey was undertaken in 2008 and no bats were recorded. 34 Bassett Crescent East does not form part of the application and will not be affected by the proposed development. The Council's Ecologist has visited the site recently and raises no objection to the current proposals.
- 5.23 **The Ecological Appraisal mentions the possibility of a green roof/wall. The environment would be enhanced by such a proposal and would reduce the impact of the bland screening proposed.**
- 5.24 Response
Green roofs are not a compulsory requirement for all new major development although their inclusion is supported. The University have confirmed that the reference in the Ecological Appraisal to the possibility of including a green roof was simply in the context of setting out potential ways to achieve net gains in biodiversity. They suggest that the current proposal to use the roof for plant and equipment effectively rules out the possibility of a green roof; a mix would complicate construction of the roof as well as operation and maintenance of the plant and equipment. The proposed building has been designed to achieve BREEAM 'Excellent'. A green roof was a possible element towards achieving this but has been discarded in favour of other means of achieving the 'Excellent' rating; including a net gain in biodiversity and additional tree and shrub planting in this part of the Boldrewood Campus.
- 5.25 **EBRA request that, where residents identify gaps or deterioration in the boundary planting, prompt action is taken to satisfy the request subject to investigation by a qualified arboriculturalist.**
- 5.26 Response
A detailed landscape plan supports the planning application and follows an accompanied site visit by relevant officers of the Council. The submitted Tree Schedule lists the trees to be lost with their species. An amended tree planting plan has been produced and submitted. This shows 24 replacement trees to be planted, which equates to a 2:1 replacement. The University have confirmed that this additional planting will be suitably maintained to ensure its health and longevity (as is normally required by the Council's standard planning conditions, and as is in the best interests of the University also). New tree planting on the south-eastern boundary of the site has already been implemented to replace the loss of unstable poplar trees, which were removed on grounds of safety in 2014. Other planting is intended to provide a suitable landscaped buffer to neighbouring dwellings including in-filling to existing gaps. This intended mitigation planting is deemed appropriate.

5.27 **The development will result in increase on-street parking and trips generated, which will place additional strain on Bassett Crescent East. Furthermore, residents suggest that the existing access should be retained for emergency vehicles only**

5.28 Response

Block D/G will be occupied by part of the Engineering Department to be relocated from the Highfield Campus. Occupation numbers in Block D/G have been estimated at 338 people in total; with a likely split of 3 students to each member of staff. This gives 254 students and 84 staff. At parking standards of 1 space per 15 students, and 1 space per 2 staff, this results in the need for 59 spaces as provided. As such the scheme is policy compliant and with the reduction in overall floorspace proposed there will be a decrease in the estimated traffic generation from the site when assessed against the approved masterplan which sought to deliver 32,000sq.m and 468 parking spaces (rather than the end development which, if approved, will result in a total floorarea for Boldrewood of 25,969sq.m served by 392 spaces). With a policy compliant car park and a reduction in overall trips the current scheme represents betterment to the public highway when compared to the outline masterplan. A planning condition can again control the use of the Bassett Crescent East access point.

Consultation Responses

5.29 **SCC Highways DM** - This proposal is a continuation of the regeneration of the Boldrewood Campus. When the regeneration commenced with the first phases, a new traffic light controlled junction on Burgess Road was designed and installed, which is capable of accommodating the traffic movements associated with the entire Boldrewood campus. The junction is designed in such a manner that the through traffic on Burgess Road runs without delay unless there is demand on the exit route of the campus, therefore minimising delay to the main flow of traffic.

5.30 The proposal allows for through movement of cycles and pedestrians, onto Bassett Crescent East, whilst controlling all vehicle movements through the Burgess Road junction. The car parking arrangements are satisfactory, although further detail is required concerning cycle parking provision.

5.31 No objection is raised to the proposal subject to the following conditions:

- Full details of the numbers and types of lockers for cyclists, and their location to be agreed;
- Details of facilities for both short and long term cycle parking and their location are to be agreed prior to commencement of development;
- A lorry routing agreement, traffic management plan, contractors parking strategy and wheel wash and site management plan are required to be submitted and agreed prior to commencement of development;
- The car parking area shall be surfaced in materials to be agreed, and marked out, prior to occupation of the development; and,
- The servicing route for large vehicles shall be available for use prior to occupation of the development.

5.32 **SCC City Design** – No objection.

5.33 **SCC Environmental Health (EH)** – Provided the development is constructed in accordance with the environmental construction plan I have no comments. This scheme is much smaller than earlier phases and EH would not require permanent

monitoring for noise or vibration. The test tank building will help as a noise barrier and EH cannot think of another site of this size where we have required such monitoring.

- 5.34 **SCC Sustainability** – The design allows the building to be partly naturally ventilated with manually controlled openings. Due to the deep plan spaces, all elevations (plus the atrium) will contain sufficient areas of glass to provide natural daylight. As a whole, areas of glass will be provided where necessary with other areas enclosed by solid façade where appropriate to minimize heat loss. Solar shading to glazed areas and deep reveals will prevent overheating whilst maintaining direct views into the surrounding landscape. CHP is provided on the south-west of the building. The Design and Access statement states that the development is being designed to meet BREEAM Excellent, however I cannot see a pre-assessment estimator or design stage assessment submitted with the application. It is highly recommended that this is submitted. However, if the case officer is minded to approve the application conditions are recommended.
- 5.35 **SCC Planning Ecologist** - The proposed development will result in the loss of trees, shrubs and grassland that is likely to provide habitat for local wildlife. In particular, the shrubs are likely to be used by nesting birds. All nesting birds, their nests, eggs and dependent young receive protection under the Wildlife and Countryside Act 1981 (as amended). It is important, therefore, that any vegetation clearance should either take place outside the nesting season, which runs from March to August inclusive, or after it has been checked by a suitably qualified ecologist. If active nests are found vegetation clearance would need to be delayed until the chicks have fledged. Replacement planting, which includes some native species, is proposed, however the landscape plan does not fully reflect all the measures detailed in the Design and Access Statement. Specifically, the Design and Access Statement mentions blackthorn and spring bulbs which are not shown on the landscape plan. As both of these have biodiversity value I would like to see them added. In addition, I would like clarification of how the current proposals fit with the Biodiversity Enhancement Plan agreed as part of the original outline consent for the site but have no objection to the proposed development. Planning conditions are recommended.
- 5.36 **SCC Tree Team** – No objections raised to the proposal with planning conditions recommended.
- 5.37 **SCC Contaminated Land** - This department considers the proposed land use as being sensitive to the effects of land contamination. Records maintained by Regulatory Services do not indicate that any potentially contaminating land uses have existed on or, in the vicinity of the subject site. However, these records are not authoritative and reference to them alone is not sufficient to confidently determine the presence of any risk. In view of the sensitive nature of the proposal a more thorough assessment of the potential land contamination hazards would be prudent. Therefore, to ensure compliance with Para 121 of the National Planning Policy Framework - March 2012 and policies SDP1 and SDP22 of the City of Southampton Local Plan Review (adopted version, March 2006) this department would recommend that the site be assessed for land contamination risks and, where appropriate, remediated to ensure the long term safety of the site.
- 5.38 **SCC Heritage** - No objections to this application. Any potential for archaeological remains will have been compromised by previous works.

- 5.39 **SCC Flood Risk Officer** - The proposed peak discharge rate of 30l/s is in accordance with previously agreed discharge rates for the overall site which is no increase on existing rates. However, it is not clear from the submitted information the extent of increase in discharge volume as a result of the development proposals and if any mitigation for this has been considered. If the case officer is minded to approve the application a suitable planning condition should be secured to ensure that a full drainage design and maintenance plan are submitted prior to any development taking place, the sustainable drainage system must be in place prior to occupation and subsequently managed and maintained in accordance with the maintenance plan over the lifetime of the development.
- 5.40 **Southern Water**– No objection subject to conditions being imposed. Their comments are separated into two discreet parts:
- 5.41 i) Foul Drainage
There is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Alternatively the developer can discharge foul flow no greater than existing levels if proven to be provided and it is ensured that there is no overall increase in flows into the foul system.
- 5.42 Response from the applicant
The development of Blocks D/G as defined in this application will, in fact, result in a reduction of foul flows from the Boldrewood Development when compared to the previously consented scheme. The current proposals result in a net decrease in floor area when compared to the consented scheme, and consequently a lower population which will generate lower peak foul flows. It should be noted that the previously consented scheme, for which Southern Water had been consulted, has commenced with Blocks A, B, C and H now complete. Also noted is that the foul drainage from the development was connected to the Public system through a Section 106 Water Industry Act 1991 agreement approved by Southern Water 7 October 2008 – Ref. DS D/106/21951. Consequently, and in accordance with Southern Water’s letter of 4 June 2015, it can be seen that any foul flows generated by the current application fall within the flows consented as part of the original planning, and Section 106 applications.
- 5.43 ii) Surface Water Drainage –
Our initial investigations indicate that there is insufficient information currently available to confirm if surface water capacity is available to serve the proposed development. Southern Water advise that the applicant investigates alternative means for surface water disposal. Alternatively the developer can discharge surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the surface water system.
- 5.44 Response from the applicant
The proposed discharge from the current application is not additional to the flows already flowing from the development previously consented. All surface water flows from the Boldrewood site are restricted to pre-development flows with any balance attenuated by various means, such as tanks, crates and permeable paving. This is in accordance with the Flood Risk Assessments and addendums prepared for previously approved planning applications. The surface water drainage system on

the development has been connected, and is discharging, to the public system through the same Section 106 agreement. Consequently, surface water flows generated by the current Block D/G application fall within the flows consented as part of the original planning, and Section 106 applications.

5.45 **Environment Agency** – No objection.

5.46 **BAA** – No aerodrome safeguarding objection subject to conditions being used to secure a Bird Hazard management Plan and an overall height limit on development/tree planting of 84m AOD. An informative regarding cranes is also recommended.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- i) The Principle of Development;
- ii) Design & Impact on Context;
- iii) Impact on Residential Amenity;
- iv) Highway Matters including Parking; and,
- v) Other Matters

6.2 The Principle of Development

Block D/G will comprise academic/research teaching space for heavy structures/geo-technical research, civil and environmental engineering with a Testing and Structures Research Lab (TSRL). The Boldrewood Campus is designated for university uses under saved Policy L7 of the adopted Local Plan Review (2006 – amended 2015).

6.3 The principle of Blocks D and G, and their associated parking, was accepted when the Council approved application 07/00985/OUT. The proposed details differ, however, with the agreed framework masterplan and outline permission, and result in an amended development proposal while retaining the university/teaching use.

6.4 In particular, the buildings have been merged whilst retaining the same separation distance with the nearest neighbours to the east. The building now includes a basement level and is taller than the approved building envelope, albeit the building is stepped away from these affected neighbours. The quantum of development for the combined block is more than originally proposed and accepted; with an increase of 2,769sq.m for Blocks D&G. However, this represents an overall decrease in floorspace of 6,163sq.m across the wider site. A reduction in associated car parking is proposed from 124 spaces in a multi-deck car park to 59 surface spaces in line with the standards required for 5,620sq.m of university teaching space.

6.5 As such, whilst the principle of development is acceptable an understanding of how the additional floorspace and reduction in parking affects both the design, local highway network and the amenity of residents is required before the planning application can be supported:

6.6 Design & Impact on Context

The proposed building uses a modern architectural solution in keeping with the other approved buildings on the Campus. The central landscaped courtyard spaces are also retained with the building framing their eastern edge.

- 6.7 Whilst the built form differs from that previously found to be acceptable at the outline stage this in itself doesn't mean the proposed building is now harmful. The additional floorspace is partly provided within the basement level, and the building splits from 2 storeys on its eastern half (with a finished parapet level of 69.75m AOD – the approved envelope for Block D being 67m AOD) to four storeys adjacent the site's existing central lawn. The four storey wing measures 74.6m AOD (excluding the flue). Whilst this is significantly taller than the height limit set for Block D, by some 7.6m, this additional bulk is set away from residential neighbours and is also smaller than the recently completed Block A Lloyd's Register building (6 storeys – 84m AOD) and Block B (five storeys – 81.8m AOD) already on site.
- 6.8 In design terms the building will be constructed using a natural stone plinth and zinc and timber rainscreen with an anodised aluminium brise-soleil. Rooftop plant will be screened from view by timber cladding to the proposed parapet. These materials have been chosen and agreed for the other buildings on the Campus and are entirely appropriate.
- 6.9 In terms of sustainable construction the application identifies the following environmental features:
- BREEAM target of 'Excellent' including integrated Combined Heat and Power;
 - A 15% reduction in CO2 emissions over the current Building Regulations;
 - High levels of insulation; and
 - Glazing limited to 40% of the façade
- 6.10 The contemporary design solution chosen is appropriate to the local context that has emerged following the masterplan approval and is suitable for the site. The redevelopment of the Boldrewood Campus has resulted in high quality buildings framing well considered landscaped spaces, which also contribute to the overall aesthetic. The current application continues the established themes and is, therefore, considered to accord with Local Plan design policies SDP1, SDP7, SDP9, NE6 and L7 as supported by Core Strategy Policy CS13. The Council's City Design Group Leader agrees with this conclusions and has raised no objection to the application.
- 6.11 Impact on Residential Amenity
The application site is bounded to the east by the residential cul-de-sac of The Cloisters. The approved masterplan has satisfactorily demonstrated that development can take place in this location without causing significant harm to the amenity of existing residents. Separation distances have been maintained and are again acceptable as they accord with the Council's previous consideration. The breach to the agreed wireframe is predominantly made as the building encroaches further westwards (ie. into the site). The mature landscaping screen will be retained and enhanced to further mitigate against the building's impact. The proposed building's eastern elevation is finished with a timber rainscreen and high level openings, which are kept to a minimum, to prevent any overlooking and limit the noise and light transfer.
- 6.12 The eastern part of the site has been re-planned. No buildings are now proposed beyond the eastern elevation of Block D, and the multi-deck car park is removed from the scheme. This change offers significant betterment to existing residential amenity of residents living in The Cloisters, and those that back onto the site from Bassett Crescent East. The application is, therefore, considered to meet the requirements of Local Plan policies SDP1(i) and SDP7(v) as supported by LDF Policy CS13.

6.13 Highway Issues

The application site is located within an area defined by the Local Plan as having 'medium' accessibility to local transport and infrastructure.

Prior to its closure and demolition the 31,735 sq.m of floorspace forming the Boldrewood Campus was served by 204 on-site car parking spaces accessed from Basset Crescent East. The outline planning permission established the principle of 32,000sq.m of university floorspace served by 468 parking spaces.

- 6.14 To date a total of 333 parking spaces have been provided in line with recent planning permissions. These spaces are formed by a surface car park for 168 parking spaces and 165 parking spaces located within Car Park 1, which is located to the north-west corner of the site. As part of the submission for the Lloyd's Register office development (08/01097/FUL) the Council accepted that Lloyds could initially have 250 of these parking spaces to assist their employees with the relocation to the Southampton area. This represented an over-provision when assessed against the maximum office parking standards at that time. As such, the permission confirms that within 5 years of the first occupation of Lloyd's Register the on-site level of parking provision will be reduced from 250 to 172 spaces. The spaces removed from Lloyd's Register will be reallocated to university uses. This car park management and review is controlled with an agreed S.106. Car Park 1 as approved can provide Lloyds Register with 165 of their 172 spaces with the remainder located amongst the surface parking provided to serve Blocks B and H.
- 6.15 Occupation numbers in the proposed Block D/G have been estimated at 338 people in total; with a likely split of 3 students to each staff member. This gives 254 students and 84 staff. At parking rates of 1 space per 15 students and 1 space per 2 staff this requires 59 spaces, as provided. As such the scheme is policy compliant and meets the maximum standard.
- 6.16 With the reduction in overall floorspace proposed there will be a decrease in the estimated traffic generation from the site when assessed against the approved masterplan, which sought to deliver 32,000sq.m and 468 parking spaces (*If approved the redevelopment will result in a total floorspace for Boldrewood of 25,969sq.m served by 392 spaces*). With a policy compliant car park and a reduction in overall trips the current scheme represents betterment to the public highway when compared to the outline masterplan.
- 6.17 In summary a total of 392 parking spaces are now proposed to serve the wider Boldrewood Campus. As the Lloyd's Register spaces are reallocated over the next 5 years the completed University uses will be served by a finished total of 220 on-site parking spaces (ie. 392 less 172). When completed the revised campus layout will be split between 10,270sqm of B1 office (Lloyds Register) served by 172 spaces, and 15,699sq.m of University floorspace served by 220 spaces. This represents a reduction in parking overall when compared with the outline masterplan, but also reflects the less intensive form of development. However, it also represents a significant increase in the amount of car parking per sq.m of University floorspace when assessed against the previous Boldrewood layout.
- 6.18 The new signalised junction onto Bassett Road is now in operation with the Bassett Crescent East access point downgraded for pedestrian, cyclist and emergency/construction vehicles only.

6.19 There are no highway safety objections to the final phase as submitted.

6.20 Other Matters

The current building does not need a S.106 legal agreement as its floorspace has been accounted for under the S.106 secured when outline planning permission was granted. This existing legal agreement has already provided the following:

- A financial contribution towards measures to encourage the use of alternative modes of transport to the private car in line with policies SDP3, SDP4 and IMP1 of the City of Southampton Local Plan Review (March 2006), the Local Transport Plan, and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- A financial contribution towards off-site highway works related to the scale of development proposed in line with policies SDP3, SDP4 and IMP1 of the City of Southampton Local Plan Review (March 2006) and the adopted SPG relating to Planning Obligations (August 2005 as amended);
- A Highway Condition Survey & Means of Reinstatement Report;
- Provision for works under S.278 of the Highways Act to create the new access and signalised junction;
- The submission, approval and implementation of public art that is consistent with the Council's Public Art 'Art People Places' Strategy and;
- The submission, approval and implementation of a Green Travel Plan (GTP) to address the impact of the parking provision so that it can be assessed along with the transport needs of the development; and,
- A Waste Management Strategy;

7.0 Summary

7.1 The principle of redeveloping the Boldrewood campus with up to 32,000sq.m of University floorspace has been agreed in outline. A series of building blocks have been agreed in principle with building heights and siting broadly set. The current proposals merge the agreed Blocks D and G to provide a single building with additional floorspace and height. The location of the building's eastern elevation (closest to the nearest neighbours living at The Cloisters) remains as agreed. The additional floorspace is created within a new basement and by expanding the western elevation westwards into the site thereby creating a wider building than originally approved. The impact of this change is greatest when standing within the centre of the existing site and, as such, the additional floorspace is considered to be achievable without harming existing residential amenity. The chosen contemporary design solution is fitting for the site and the recently approved Maritime Centre of Excellence. The replacement of the multi-deck car park and reduction in parking numbers are policy compliant and will also result in additional betterment to existing neighbours amenity. The landscaped setting to the site will not be compromised by these proposals.

8.0 Conclusion

8.1 It is recommended that full planning permission for Block D/G and its associated landscaped surface car park should be granted.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1a-d, 2b, d, 3a, 4f, k, dd, vv, 6a-b & 7a

SH for 04.08.15 PROW Panel

PLANNING CONDITIONS to include:

1.APPROVAL CONDITION - Full Permission Timing Condition - physical works

The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2.APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

3.APPROVAL CONDITION - Personal Permission

This grant of planning permission in relation to Block D/G and its associated parking shall enure only for the benefit of the University of Southampton.

Reason:

In order to comply with the requirement of Regulation 9 of the Town and Country Planning General Regulations 1992.

4.APPROVAL CONDITION - Materials

Notwithstanding the information already submitted the development of Block D/G hereby approved shall not be carried out unless and until a schedule of materials and finishes (including full details of the manufacturers, types and colours of the external materials) to be used for external walls, fenestration (including window reveals as per s.4.7 of the approved Grimshaw Design and Access Statement (8th May 2015)) and the roof of the relevant building has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented as agreed.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality

5.APPROVAL CONDITION - BREEAM Standards (commercial development)

Before the development of the building Block D/G commences, written documentary evidence demonstrating that the development will achieve at minimum Excellent against the BREEAM Standard, in the form of a design stage assessment, shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA. These details shall include an integrated Combined Heat

and Power facility as detailed in s4.4 of the approved Grimshaw Design and Access Statement (8th May 2015).

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

6.APPROVAL CONDITION - BREEAM Standards (commercial development)

Within 6 months of the building Block D/G first becoming occupied, written documentary evidence proving that the development has achieved at minimum Excellent against the BREEAM Standard in the form of post construction assessment and certificate as issued by a legitimate BREEAM certification body shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

7.APPROVAL CONDITION – External Equipment/Plant

Notwithstanding the submitted plans hereby approved that show indicative external plant equipment there shall be no external plant, condenser/air conditioning units or similar equipment erected on Block D/G without the prior written approval of the Local Planning Authority. These details shall include design and acoustic information to enable an assessment of the impact of the equipment to be undertaken. Any agreed external equipment shall be implemented and retained only in accordance with the approved details.

Reason:

In the interests of visual and neighbour amenity.

Note to applicant: The rooftop plant required should not exceed the height of the agreed parapet (69.75m AOD).

8.APPROVAL CONDITION - Landscaping Scheme

The approved landscape scheme shown on plan ref: LD-PLN-200 Rev A and LD-PLN-400 Rev B shall be carried out - as amended by the following comments from the Council's Tree Officer and Ecologist - prior to the occupation of Block D/G or during the first planting season following the full completion of building works, whichever is sooner unless an alternative phasing strategy is agreed prior to the commencement of development:

- The Design and Access Statement mentions blackthorn and spring bulbs which are not shown on the landscape plan. As both of these have biodiversity value they should also be included within the landscaping scheme to be implemented;
- The suggested species of Silver Birch (*Betula pendula*) and Pin Oak (*Quercus palustris*), though both acceptable in moderation, is too narrow a selection. Additional species, including at least one evergreen shall be included in the replacement planting scheme; and,
- A minimum of 24 replacement trees shall be planted to mitigate for the 12 to be felled to facilitate the development

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The

Developer shall be responsible for the maintenance of the approved scheme and any replacements for a minimum period of 5 years from the date of planting.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

9.APPROVAL CONDITION – Boundary fence

Before occupation of the development hereby approved, details of the design and specifications of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary enclosure details shall be subsequently erected prior to the occupation of Block D/G and shall thereafter be retained and maintained.

Reason:

In the interests of the visual amenities of the area and to protect the amenities and privacy of the occupiers of adjoining property

10.APPROVAL CONDITION - Height Limitation on Trees & Shrubs

No trees and shrubs or stands of trees and shrubs planted on the application site as part of the approved landscaping scheme shall be permitted to grow above a height of 84m AOD.

Reason:

Southampton Airport have confirmed that it is necessary to control trees or shrubs which could infringe the Obstacle Limitation Surface (OLS) surrounding Southampton Airport to ensure they do not endanger the movements of aircraft and the safe operation of the aerodrome.

11.APPROVAL CONDITION – Arboricultural Method Statement

The proposed development shall be implemented strictly in accordance with the applicant's submitted SJ Stephens Associates Arboricultural Impact Assessment (dated 1st May 2015) as amended by the following comments from the Council's Tree Officer:

- The suggested species of Silver Birch (*Betula pendula*) and Pin Oak (*Quercus palustris*), though both acceptable in moderation, is too narrow a selection. Additional species, including at least one evergreen shall be included in replacement planting scheme.
- Root barriers, as detailed in tree pit detail, shall be used on two sides of any tree pit, occasionally three at the end of a trench and never on all four sides.

Reason:

In the interests of the existing TPO stock, the visual amenity of the site and the landscape setting of the proposed buildings.

12.APPROVAL CONDITION – No storage under tree canopy

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

Reason:

To preserve the said trees in the interests of the visual amenities and character of the locality

13.APPROVAL CONDITION – Biodiversity Mitigation Plan

An updated Biodiversity Mitigation Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of Block D/G. The agreed scheme shall be implemented as agreed prior to the first occupation of Block D/G.

Reason:

In the interests of supporting the wider biodiversity of the scheme and to build on the recommendations included within the submitted LUC Ecological Appraisal (May 2015).

14.APPROVAL CONDITION – Bird Hazard Management Plan

The development hereby approved shall be implemented in accordance with the submitted Bird Hazard Management Plan dated 6th May 2015.

Reason:

It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Southampton Airport.

15.APPROVAL CONDITION - Protection of nesting birds

No clearance of vegetation likely to support nesting birds shall take place between 1 March and 31 August unless a method statement has been agreed in writing by the Local Planning Authority and works implemented in accordance with the agreed details.

Reason:

For the safeguarding of species protected by The Wildlife & Countryside Act 1981 (as amended) and the conservation of biodiversity

16.APPROVAL CONDITION - CCTV

Block D/G, the cycle store and their associated external spaces and car parking shall be served by CCTV in accordance with details shown on the approved drawings, as amended. The CCTV shall be retained as agreed.

Reason:

In the interests of on-site security and crime prevention, as set out at s.4.9 of the approved Grimshaw Design and Access Statement (8th May 2015), and to ensure the agreed location of CCTV cameras do not disturb the amenity of nearby residents.

17.APPROVAL CONDITION – Lighting

A written lighting scheme including light scatter diagram with relevant contours shall be submitted to and approved in writing by the Local Planning Authority prior to implementation of the external lighting scheme. The scheme must demonstrate compliance with table 1 “Obtrusive Light Limitations for Exterior Lighting Installations”, by the Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light 2005. The installation must be maintained in accordance with the agreed written scheme.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties

18.APPROVAL CONDITION – Bassett Crescent East Access

The Bassett Crescent East access shall be retained for pedestrian and emergency vehicles access only.

Reason:

In the interests of highway safety and to ensure that the development is served by a single vehicular access point from Burgess Road as established under LPA 07/00985/OUT.

19.APPROVAL CONDITION – Parking

The approved surface car park shall be constructed, marked out and made ready for a minimum of 59 vehicles in accordance with the approved plans prior to the first occupation of Block D/G or in accordance with another timeframe that shall have been agreed in writing with the Local Planning Authority prior to the occupation of the development. The parking shall be maintained as agreed for use by the University only thereafter.

Reason:

To ensure that the development is correctly served by vehicular parking in the interests of highway safety and the amenity of residential neighbours that would otherwise be affected by any overspill.

20.APPROVAL CONDITION - Refuse & Cycle Storage

The refuse and cycle storage proposals (for a minimum of 90 cycle spaces using Sheffield style stands) hereby approved shall be provided in accordance with the agreed details prior to the first occupation of Block D/G and shall be retained thereafter as agreed. The approved refuse and recycling storage shall be retained whilst the building is used for the approved uses.

Reason:

In the interests of the visual appearance of the building and the area in general, whilst supporting alternative modes of travel.

Informative:

The applicants are reminded that, notwithstanding the approved plans listed below, cycle storage serving Block H and now D/G has been agreed at 202 spaces comprising: 112 covered spaces already approved (4 bays of 28 for H), an additional 28 covered spaces are proposed (1 bay of 28 for D/G) and a further 62 external spaces are proposed as set out in the email from Robin Reay dated 20th July 2015.

21.APPROVAL CONDITION – Lockers

Details of secure staff/student lockers for use by cyclists shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of Block D/G hereby approved. The agreed lockers shall be installed prior to the first occupation of Block D/G and retained thereafter.

Reason:

To encourage cycling as an alternative mode of travel to the private car.

22.APPROVAL CONDITION - Hours of Construction

In connection with the implementation of this permission any demolition and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Public Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Notwithstanding the above restrictions the date/time of delivery to site and erection of any tower cranes required to construct the development outside of these permitted hours shall

be agreed in writing with the Local Planning Authority, in consultation with the Highways Department, prior to their delivery.

Reason:

To protect local residents from unreasonable disturbances from works connected with implementing this permission.

23.APPROVAL CONDITION - Construction Method Statement (CMS)

Notwithstanding the applicant's submission (namely Buro Four's Construction Method Statement (May 2015), which is largely acceptable) before the commencement of works to Block D/G details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement (CMS) for the development. The CMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; (g) details of how noise emanating from the site during construction will be mitigated in accordance with S.60 of the Control of Pollution Act 1974; (h) an agreed route for construction vehicles and deliveries to take; and (i) a residents helpline telephone number and email address. The approved CMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

Reason:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

24.APPROVAL CONDITION - Use of uncontaminated soils and fill

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and be submitted to the Local Planning Authority for approval prior to the occupancy of the site.

Reason:

To ensure imported materials are suitable and do not introduce any land contamination risks onto the development.

25.APPROVAL CONDITION- Unsuspected Contamination

The site shall be monitored for evidence of unsuspected contamination throughout construction. If potential contamination is encountered that has not previously been identified no further development shall be carried out unless otherwise agreed in writing by the Local Planning Authority. Works shall not recommence until an assessment of the risks presented by the contamination has been undertaken and the details of the findings and any remedial actions has been submitted to and approved by the Local Planning Authority. Any changes to the agreed remediation actions will require the express written consent of the Local Planning Authority.

Reason:

To ensure any land contamination not previously identified is assessed and remediated so as not to present any significant risks to human health or, the wider environment.

26.APPROVAL CONDITION - Piling

Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no unacceptable risk to groundwater. Development shall proceed in accordance with the agreed details.

Reason:

To ensure protection of controlled waters.

27.APPROVAL CONDITION - Sustainable Urban Drainage System

Notwithstanding the submitted details the development of Block D/G and the surface car parking area shall not begin until drainage details have been submitted to and approved in writing by the Local Planning Authority. A feasibility study by independent consultants demonstrating the investigation and assessment of the potential for creation of a sustainable urban drainage system (SUDS) on site shall be carried out and verified in writing by the Local Planning Authority prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable urban drainage system, a specification shall be agreed in writing with the Local Planning Authority and installed and be rendered fully operational prior to the first occupation of Block D/G. It shall thereafter be retained and maintained for the lifetime of the development.

Reason:

To conserve valuable water resources and prevent against flood risk and to comply with policy SDP13 (vii) of the City of Southampton Local (2015) and Policy CS20 of the adopted LDF Core Strategy (2015).

28.APPROVAL CONDITION - Foul & Surface Water Drainage

In connection with the above planning condition there shall be no development on site associated with this planning permission until a scheme for the foul and surface water disposal and associated water infrastructure has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. Development shall proceed in accordance with the agreed information.

Reason:

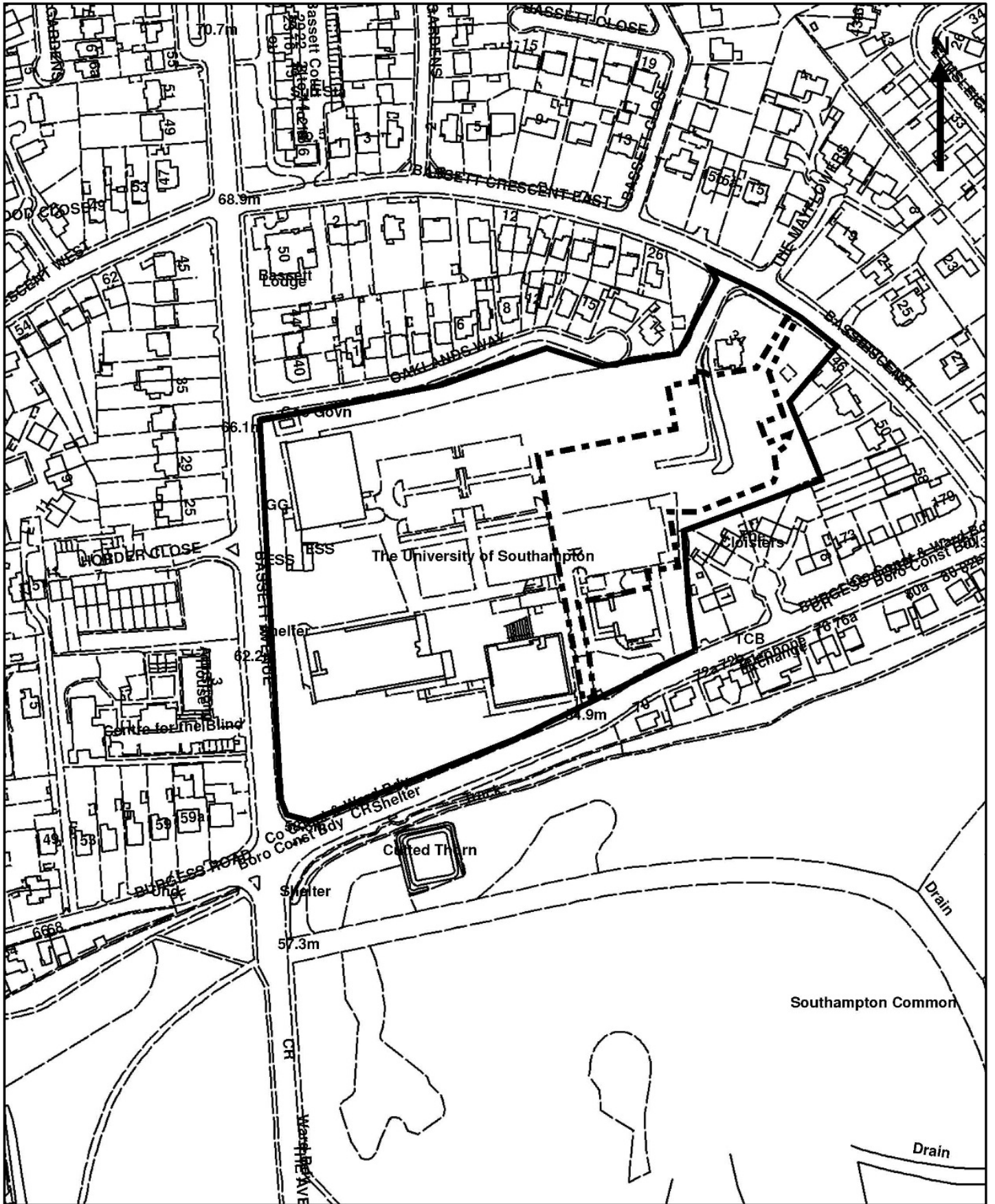
To ensure protection of controlled waters.

Informative – Southampton Airport

Given the nature of the proposed development it is possible that a crane may be required during its construction. Southampton Airport draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes and for crane operators to consult the aerodrome before erecting a crane in close proximity of an aerodrome. This is explained further in Advice Note 4 – 'Cranes and Other Construction Issues'.

Informative – Southern Water

A formal application to requisition water infrastructure is required in order to service this development. The applicant/developer should also enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW – T.0330 303 0119.



Scale: 1:2,500

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Application 15/01025/FUL

POLICY CONTEXT

Core Strategy - (2010 - amended 2015)

CS6	Economic Growth
CS11	An Educated City
CS13	Fundamentals of Design
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS22	Promoting Biodiversity and Protecting Habitats

City of Southampton Local Plan Review – (March 2006 – amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
SDP15	Air Quality
SDP16	Noise
SDP17	Lighting
SDP22	Contaminated Land
NE6	Protection / Improvement of Character
L7	The University of Southampton

Other Relevant Guidance

National Planning Policy Framework (2012)

Supplementary Planning Guidance

Planning Obligations (Adopted - August 2005 and amended November 2006)

Residential Design Guide (2006)

Car Parking (September 2011)

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Application 15/01025/FUL RELEVANT PLANNING HISTORY

12/01167/REM Conditionally Approved 26/10/2012

Application for reserved matters approval of layout, scale, appearance and landscaping pursuant to Block H and associated works of the outline planning permission reference 11/00963/TIME for redevelopment of the Boldrewood campus. Note: application also seeks to discharge conditions 2 (additional detail), 11 (landscaping), 14 (arboricultural method) and 15 (tree safeguarding) of permission 11/00963/TIME.

11/00963/TIME Conditionally Approved 28/06/2012

Extension of time to implement previous planning permission (ref 07/00985/OUT) to redevelop the site with new buildings of up to 32,000 square metres floor space for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works. (outline application seeking approval for access arrangements)

11/01173/NMA No Objection raised 12/08/2011

Application for a non material amendment to planning permission 08/01097/ful seeking alterations to the materials and fenestration of block B together with re-location of the lift internally.

11/00499/FUL Conditionally Approved 01/07/2011

Erection of a decked car park to provide 165 car parking spaces together with the provision of a surface car park (168 spaces) for use in association with the approved uses of Block A of the Boldrewood campus redevelopment as approved under planning permission reference 08/01097/FUL, and/or in association with the Class D1 university use of the buildings and associated access roads and landscaping.

11/00286/NMA No Objection raised 15/03/11

Application for a "Non-Material Amendment" to planning permission ref: 08/01097/FUL relating to elevational details to Block A, and external cladding materials for the Lloyds Register building as part of the Boldrewood redevelopment proposals.

11/00101/DIS No Objection raised 17/02/11

Application for approval of details reserved by conditions 21 (Demolition and Construction method statement) and 22 (Bassett Crescent East) of planning permission reference 07/00985/OUT relating to the redevelopment of Boldrewood

10/01058/FUL Conditionally Approved 19/01/11

Erection of a single storey detached building to house plant and equipment for the electricity supply to the campus - Description amended following validation and receipt of amended plans

08/01097/FUL Conditionally Approved 19/02/09 with S.106

Development of Phase One of the Boldrewood Campus to include the construction of Block A, a 6-storey building (Class B1 office accommodation linked to university

use including provision for the Maritime Institute - 10,270sqm gross external floorspace); Block B, a 5-storey building of new University accommodation (Class D1 - 5,749sqm gea); extensions and alterations to Block C (Class D1 - 286sqm gea new floorspace) with a new vehicular access from Burgess Road, associated access alterations, parking and interim landscape works following demolition of the existing buildings.

07/00985/OUT Conditionally Approved 18/06/08 with S.106

Redevelopment of the site by the erection of new buildings to provide up to 32,000sqm gross floorspace for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works following demolition of most of the existing buildings (Outline application seeking approval for access arrangements).

06/01566/SCR No Objection - not an EIA Development 07/11/06

Screening request under Part II Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 for the redevelopment of the site.

02/01343/FUL Permitted by Panel 28/10/2003

Three storey annex extension

11/00963/TIME/1295



DETERMINATION OF APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2010

Mr Robin Reay
Luken Beck Ltd
30 Carlton Crescent
Southampton
SO15 2EW

In pursuance of its powers under the above Act and Regulations, Southampton City Council, as the Local Planning Authority, hereby gives notice that the application described below has been determined. The decision is:

OUTLINE APPLICATION - **CONDITIONAL APPROVAL**

Proposal: Extension of time to implement previous planning permission (ref 07/00985/OUT) to redevelop the site with new buildings of up to 32,000 square metres floor space for University purposes, 468 car parking spaces, landscaping, temporary and permanent access arrangements, including a new vehicular access from Burgess Road and ancillary works. (outline application seeking approval for access arrangements)

Site Address: Boldrewood University of Southampton Bassett Crescent East
Southampton Hampshire

Application No: 11/00963/TIME

Subject to the following conditions:

01.APPROVAL CONDITION - Outline Permission Timing Condition

Outline Planning Permission for the principle of the development proposed and the following matters sought for consideration, namely ACCESS (vehicular and pedestrian) as shown on plan ref: 13008-S278-SK-158, the Framework Development Plan as shown on plan ref:06059 PCL 10005 as supported by plan ref: 06059 PCL 101; the Internal Road Layout as shown on plan ref:13008-GE-1-02 Rev A, the proposed Temporary Construction Access as shown on plan ref:13008-GE-I-03 Rev A and an element of Strategic Landscaping as shown on Plan Ref:PLL_S20.05-01.03 as amended by Landuse Consultants Plan 101 Rev E is approved subject to the following:

Notwithstanding the approved demolition works and the approved access and landscaping details referenced above written approval of the details of the following awaited reserved matters for each phase identified as part of the submission under condition 2(v) below shall be obtained from the Local Planning Authority prior to any works relating to the relevant phase taking place on the site;

- (i) The LAYOUT of the buildings on site and detailed siting of associated areas;
- (ii) The APPEARANCE and architectural design specifying the external materials to be used;

- (iii) The SCALE of the buildings indicating massing and building bulk;
- (iv) Both hard and soft LANDSCAPING treatments of the site including all means of enclosures and boundary treatments.

An application for the approval of the outstanding reserved matters for all phases identified as part of the submission under condition 2(v) below shall be made in writing to the Local Planning Authority before the expiration of three years from the date of this Outline Permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this Outline permission, or before the expiration of two years from the date of approval of the last application of the reserved matters to be approved (whichever is the latter)

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 91 and Section 92 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Additional Details Required Condition

As part of the submission of each of the matters reserved details of the following particulars, where relevant to the specific phase or reserved matter, of the proposed development in addition to the submission of Matters Reserved from the Outline Planning Permission hereby approved shall be submitted to and approved in writing by the Local Planning Authority:

- i. In addition to Reserved Matters for the layout of the building(s) and for the means of access thereto, a plan showing the detailed siting of structures on the site showing the position of trees to buildings, and the vehicular parking areas to access points;
- ii. In addition to Reserved Matters for the appearance and design of the building(s) a detailed plan showing the size of the building(s) and specifying the external materials to be used;
- iii. In addition to Reserved Matters for the size of the building(s) details of the height, width, length of the structures and the massing and bulk of the buildings to the open areas shall be provided;
- iv. In addition to Reserved Matters for the landscaping to the site and the landscaping conditions below, a detailed plan indicating a programme of implementation, a landscape management plan together with details specifying the numbers, types, size, and species of trees, hedgerows, and shrubs to be planted, and the method of ground preparation and mulching treatment proposed. Any trees earmarked for removal shall be replaced with 2 additional trees to be agreed in writing with the Local Planning Authority prior to their planting;
- v. A detailed phasing plan to include maximum parking provision for each phase or on a site wide basis as appropriate;
- vi. Details of the treatment to the boundaries of the site, and all screen walls or fences within the proposed development;
- vii. A detailed external lighting plan;
- viii. An on-site security management plan following the relevant principles of 'By Design'.
- ix. Detailed cross-sections of the site showing existing levels and proposed finished levels, position of access roads, car parking areas and buildings and position of trees on the site;
- x. Details of the layout of on-site car parking to meet the Local Planning Authority's car parking standards;
- xi. Details of the construction of all highways and vehicular access ways, including a specification of the type of construction proposed for the roads and footpaths, together with all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels and details of street lighting;
- xii. Details of the proposed drainage of the site, including details of the provision for the protection of existing sewers which cross the site during the period of all works of excavation and construction;

- xiii. A plan showing the location and depth of trenches in connection with the laying of services;
- xiv. Full details of the proposed external lift and a management strategy for its use to provide full 24 hour access across the site;
- xv. Full details of the proposed balancing pond and ornamental pond;

The phased development shall be carried out in accordance with the agreed details.

Reason:

To ensure the proposed development is satisfactory as regards layout, access, appearance, landscape provision and in all other detailed respects.

03.APPROVAL CONDITION - Personal Permission

This grant of planning permission shall enure only for the benefit of the University of Southampton.

REASON

In order to comply with the requirement of Regulation 9 of the Town and Country Planning General Regulations 1992.

04.APPROVAL CONDITION - Details of External Materials - Samples

Notwithstanding the information provided with the application the development of each building hereby approved shall not take place until details (and samples where required) of the materials to be used in each phase of the construction of the external surfaces of the development including all external fixtures, fittings, facing brickwork, render, window frames and mortar and details of window and doorway reveals have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON:

In the interests of ensuring that the new development is constructed in accordance with the submitted details and to secure a harmonious form of development.

05.APPROVAL CONDITION - Access Provision

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no access other than that shown on the approved plan shall be formed to the site.

REASON

In the interests of highway safety.

06.APPROVAL CONDITION - Cycle Space Provision

The development of each phase of the scheme to which this consent relates shall not be brought into use in full or in part until secure, covered and enclosed storage space has been laid out within the site for bicycle spaces to be provided for the benefit of the staff, visitors and students in accordance with the plans to be submitted to and approved in writing by the Local Planning Authority. The cycle storage hereby approved shall thereafter be retained on site for that purpose.

REASON

To encourage cycling as a sustainable form of transport.

07.APPROVAL CONDITION - Access - Stopped Up

Notwithstanding the commencement of the approved demolition works any existing access to the site shall be stopped up and abandoned and footway and verge crossings shall be reinstated in accordance with a scheme (that shall include details of timing) to be submitted for approval in writing by the Local Planning Authority prior to the commencement of development.

REASON

In the interests of highway safety and to ensure that the development is served by a single vehicular access point.

08.APPROVAL CONDITION - Motor Cycle Spaces

Adequate parking facilities for motorcycles to conform to the Local Planning Authority's standards shall be shown on plans and approved in writing before the development of each phase (identified by Condition 02(v) above) hereby permitted commences and such parking shall be permanently retained for that purpose

REASON

To prevent obstruction to traffic in neighbouring roads

09.APPROVAL CONDITION - Parking provision

Any parking spaces shown on the approved plans shall be used only in connection with the development hereby approved and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.

REASON:

To ensure adequate on-site parking provision for the approved development remains available for that purpose and to prevent parking on the adjoining highway'

10.APPROVAL CONDITION - Refuse & Recycling Bin Storage

Notwithstanding the information already submitted details of satisfactory facilities to be provided for the storage and removal of refuse and recycling from the premises shall be submitted to and approved in writing by the Local Planning Authority before each building is first occupied. The facilities shall include accommodation for the separation of waste to enable recycling. The approved refuse and recycling storage shall be retained whilst the building is used for university purposes.

REASON:

In the interests of the visual appearance of the building and the area in general.

11.APPROVAL CONDITION - Landscaping Details

The development of each phase (identified as part of the submission under condition 2(v) above) shall not take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority. The submitted details shall include:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. details of any proposed boundary treatment; and
- iv. a landscape management scheme.

REASON:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990.

12.APPROVAL CONDITION - Landscaping Implementation

The hard and soft landscaping works shall be carried out in accordance with the details approved in the above planning condition. The works shall be carried out before any of the

development is occupied or in accordance with a timescale which has been agreed in writing with the local planning authority prior to the commencement of development.

REASON:

To ensure that the works are carried out as approved in the interests of the visual amenities of the area.

13.APPROVAL CONDITION - Landscaping Replacement

If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted in replacement of it, it is removed, uprooted, destroyed, dies or becomes in any other way defective in the opinion of the local planning authority, another tree or shrub of the same species and size of that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON:

To ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme.

14.APPROVAL CONDITION - Arboricultural Method Statement

Notwithstanding the submitted information no operation in connection with both the demolition and construction phases hereby permitted shall commence on site until a site specific Arboricultural Method Statement in respect of the protection of the trees during all aspects of work on site is submitted and agreed in writing by the Local Planning Authority. It will be written with contractors in mind and will be adhered to throughout the duration of the demolition and development works on site. The Method Statement will include the following:

- a. A specification for the location and erection of protective fencing around all vegetation to be retained
- b. Specification for the installation of any additional root protection measures
- c. Specification for the removal of any built structures, including hard surfacing, within protective fencing areas.
- d. Specification for the construction of hard surfaces where they impinge on tree roots
- e. The location of site compounds, storage areas, car parking, site offices, site access, heavy/large vehicles (including cranes and piling rigs)
- f. An arboricultural management strategy, to include details of any necessary tree surgery works, the timing and phasing of all arboricultural works and protection measures;
- g. Specification for soft landscaping practices within tree protection zones or the canopy of the tree, whichever is greatest.
- h. A phasing plan for the tree protection measures to include details of how the site will be left between development phases

REASON

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

15.APPROVAL CONDITION - Tree Safeguarding

All trees to be retained pursuant to any other condition of this decision notice (including planning condition 35 below) shall be fully safeguarded during the course of each phase as identified by planning condition 14 (h) above including preparation, demolition, excavation, construction and building operations. Details of the specification and position of all protective fencing shall be indicated on a site plan and agreed with the Local Planning Authority in writing before any construction works pursuant to each phase commence.

REASON

To ensure that provision for trees to be retained and adequately protected throughout the construction period has been made.

16.APPROVAL CONDITION - Tree Protection

No operation in connection with the development hereby permitted shall commence on site until the tree protection as agreed by the Local Planning Authority has been erected. The fencing shall be maintained in the agreed position until the agreed phase is completed, or until such other time that may be agreed in writing by the Local Planning Authority following which it shall be removed from the site.

REASON

To ensure that trees to be retained will be adequately protected from damage throughout the construction period.

17.APPROVAL CONDITION - No under tree canopy storage

No storage of goods including building materials, machinery and soil, shall take place underneath the crown spread of the trees to be retained on the site. There will be no change in soil levels or routing of services through tree protection zones or within canopy spreads, whichever is greater. There will be no fires on site. There will be no discharge of chemical substances including petrol, diesel and cement mixings within the tree protection zones or within canopy spreads, whichever is greater.

REASON

To preserve the said trees in the interests of the visual amenities and character of the locality.

18.APPROVAL CONDITION - No Felling of Trees

No trees on or overhanging the site other than those agreed as part of this outline planning permission shall be pruned/cut, felled or uprooted otherwise than shall be agreed in writing by the Local Planning Authority. Any tree removed or significantly damaged, other than shall be agreed, shall be replaced by the owners of the site with two trees of a size, species, and type, and at a location and before a date to be determined by the Local Planning Authority.

REASON

To secure a satisfactory setting for the proposed development and to ensure the retention, or if necessary replacement, of trees which make an important contribution to the character of the area.

19.APPROVAL CONDITION - Ecology

Notwithstanding the demolition works hereby approved each phase of the development shall proceed strictly in accordance with the Ecological Appraisal (updated from October 2007) Dated 14th October 2010, which shall have been updated and agreed in writing with the Local Planning Authority prior to the commencement of works to each block.

REASON

To ensure that the development is implemented in accordance with the agreed details whilst ensuring the securing the longevity of existing habitat and ecology.

20.APPROVAL CONDITION - Hours of Construction

In connection with the implementation of this permission any demolition and construction works, including the delivery of materials to the site, shall not take place outside the hours of 8am and 6pm Mondays to Fridays and 9am and 1pm on Saturdays. Works shall not take place at all on Sundays or Bank Holidays without the prior written approval of the Local Planning Authority. Any works outside the permitted hours shall be confined to the internal preparation of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To protect local residents from unreasonable disturbances from works connected with implementing this permission.

21. APPROVAL CONDITION - Demolition and Construction Method Statement

Notwithstanding the applicant's Appendix F and the information contained with the Design & Access Statement before any development or demolition works are commenced details shall be submitted to and approved in writing by the Local Planning Authority making provision for a Demolition and Construction Method Statement (DCMS) for the development. The DCMS shall include details of: (a) parking of vehicles of site personnel, operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials, including cement mixing and washings, used in constructing the development; (d) treatment of all relevant pedestrian routes and highways within and around the site throughout the course of construction and their reinstatement where necessary; (e) measures to be used for the suppression of dust and dirt throughout the course of construction; (f) details of construction vehicles wheel cleaning; and, (g) details of how noise emanating from the site during construction will be mitigated in accordance with S.60 of the Control of Pollution Act 1974, and (h) a residents helpline telephone number and email address. The approved DCMS shall be adhered to throughout the development process unless agreed otherwise in writing by the local planning authority.

REASON:

In the interest of health and safety, protecting the amenity of local land uses, neighbouring residents, the character of the area and highway safety.

22. APPROVAL CONDITION - Bassett Crescent East

Prior to the commencement of any demolition and development works an agreed Traffic Management Plan shall be approved which seeks to minimise Construction Impact on the road network & facilitate the closure of the existing vehicular access to Bassett Crescent East to construction traffic in accordance with an agreed timescale. Demolition works will be phased to allow the early establishment of the new internal roadway.

REASON:

To minimise the impact of the proposed development on the residents of Bassett Crescent East in accordance with the applicant's email dated 10th August 2007.

23. APPROVAL CONDITION - BREEAM Standards (commercial development)

Written documentary evidence demonstrating that the development of each phase has achieved at minimum a rating of Very Good against the BREEAM standard shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of each phase of the development hereby granted, unless an otherwise agreed timeframe is agreed in writing by the LPA. The evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

24. APPROVAL CONDITION - Sustainable Urban Drainage System

Development of each phase identified by Condition 02(v) shall not begin until drainage details have been submitted to and approved in writing by the Local Planning Authority. A feasibility study by independent consultants demonstrating the investigation and assessment of the potential for creation of a sustainable urban drainage system (SUDS) on site shall be carried out and verified in writing by the Local Planning Authority prior to first occupation of the development hereby granted consent. If the study demonstrates the site has the capacity for the implementation of a sustainable urban drainage system, a specification shall be agreed in writing with the Local Planning Authority and installed and be rendered fully operational prior to the first occupation of the relevant phase. It shall thereafter be retained and maintained for the benefit of the development.

REASON

To conserve valuable water resources and prevent against flood risk and to comply with policy SDP13 (vii) of the City of Southampton Local (2006).

25.APPROVAL CONDITION - Drainage

Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved by the local planning authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. If SUDS are unsuitable due to land contamination or other issues it is recommended that the developer constructs gully pots or other similar drainage to allow for some containment in the event of a spill.

REASON:

To ensure protection of controlled waters.

26.APPROVAL CONDITION - Piling

Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no unacceptable risk to groundwater. Development shall proceed in accordance with the agreed details.

REASON:

To ensure protection of controlled waters.

27.APPROVAL CONDITION - Storage of Chemicals

Notwithstanding the demolition works hereby approved the development of each phase of the scheme approved by this planning permission shall not commence until a scheme for the storage of all chemicals and oil stored on site during the construction phase has been submitted and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the agreed details.

REASON:

To ensure protection of controlled waters.

28.APPROVAL CONDITION - Foul Drainage

Notwithstanding the demolition works hereby approved prior to the commencement of each phase of the development identified as part of the submission under condition 2(v) above a scheme for the foul drainage (to include the disposal of chemicals) shall be submitted to and approved in writing by the Local Planning Authority. This must include all drainage to drain into a sealed tank or into the foul sewer with the permission of the sewerage undertaker. Development shall proceed in accordance with the agreed information.

REASON:

To ensure protection of controlled waters.

29.APPROVAL CONDITION - Bird roosting prevention measures

Before the construction of each building commences a method statement shall be submitted to and approved in writing to the Local Planning Authority detailing how the applicant would prevent the breeding or roosting of hazardous birds, in particular gulls, on the roof. Development shall be implemented in accordance with the agreed details.

REASON

To avoid endangering the safe operation of aircraft through the attraction of birds.

30. APPROVAL CONDITION - Contamination – Desk Top Study

No development shall take place until the developer has carried out adequate assessments to determine the likely presence of contamination on the site (desk study) and assessed the potential risks to human health and the wider environment. If any significant hazards are identified a scheme of further investigation will be required in order to assess the risk(s). If significant risk(s) are identified a detailed remediation scheme must be devised and implemented to ensure the long-term safety of the site.

Documented evidence of the above procedures shall be submitted to the Local Planning Authority for their written approval at each stage. Any remediation scheme required and approved shall be fully implemented and adhered to. Any amendments to the remediation scheme relevant to the risk associated with the contamination shall be submitted to the Local Planning Authority for prior approval in writing. On completion of the remediation works and, prior to occupation of each building, the developer and/or his approved agent shall submit written confirmation that works have been completed in full and in accordance with the approved scheme.

The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and an investigation and management scheme implemented prior to occupation in accordance with details to be agreed.

REASON:

To identify unacceptable risks to human health and the environment and ensure investigation, assessment and remediation of the site is to an appropriate standard in accordance with the guidance given in Model Procedures for the Management of Land Contamination - Contaminated Land Report 11 - Environment Agency - 2001.

31. APPROVAL CONDITION - Contamination - Import of Soil

Clean, uncontaminated soil, subsoil, rock, aggregate, brick rubble, crushed concrete and ceramic shall only be permitted for infilling and landscaping on the site. Any such materials imported on to the site must be accompanied by documentation to validate their quality and shall be submitted to the Local Planning Authority for approval prior to any such materials being imported onto the site.

REASON:

To ensure that no ground contamination risks to human health and the environment are introduced onto the application site.

32. APPROVAL CONDITION - Archaeological Works

Notwithstanding the demolition works hereby approved no development (including works in conjunction with the approved access) shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

REASON

To ensure that the archaeology of the site is properly investigated.

33. APPROVAL CONDITION – Block H

Notwithstanding the approved Development Framework Plan Building H shall be located no further east than the indicative building footprint shown. Building H shall be located no less than 3.2 metres from the boundary with Oaklands Way.

REASON:

To ensure that the proposed building is not located on the boundary with Oaklands Way in the interests of residential amenity and the longevity of existing trees.

34. APPROVAL CONDITION – Block A

Notwithstanding the approved Development Framework Plan Building A shall be located no less than 15 metres from the boundary with Bassett Avenue.

REASON:

To ensure that the proposed building is stepped away from Bassett Avenue in the interests of visual amenity.

35. APPROVAL CONDITION - Wellingtonia

In connection with the above planning conditions relating to tree protection, and notwithstanding the demolition works hereby approved prior to the commencement of development (including works in conjunction with the approved access), the applicant shall undertake a full Tree Root Radar Survey to accurately locate the tree roots of Wellingtonia on Burgess Road (identified as TPO Tree 7) to inform the ongoing work to retain the Wellingtonia. Full details of this survey and measures to secure the retention of this tree shall, unless otherwise agreed in writing by the Local Planning Authority, be provided to and approved in writing by the Local Planning Authority prior to the commencement of the approved access. Only the agreed methodology for construction of the approved access shall be implemented.

REASON:

In the interests of securing the longevity of the protected tree.

36. APPROVAL CONDITION - Energy (Pre-Commencement Condition)

Written documentary evidence demonstrating that each phase of the development will at minimum achieve a reduction in CO2 emissions [15% as required in core strategy policy CS20] over part L of the Building Regulations shall be submitted to the Local Planning Authority and verified in writing prior to the first occupation of each phase of the development hereby granted. Technologies that meet the agreed specifications must be installed and rendered fully operational prior to the first occupation of each phase of the development hereby granted consent and retained thereafter.

REASON:

To reduce the impact of the development on climate change and finite energy resources and to comply with adopted policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

Reason for Granting Outline Planning Permission

The development relates to the extension in time of the planning permission 07/00985/OUT that was approved by the City Council in June 2008 following the completion of a S.106 Legal Agreement. It is again acceptable taking into account the policies and proposals of the current Development Plan as set out below. Other material considerations that have arisen since June 2008, including the change in national guidance, the adoption of the Council's LDF Core Strategy (2010), recent appeal decisions along the Avenue, and those other considerations put forward by third parties, and considered as part of the report to the Council's Planning & Rights of Way Panel in August 2011, do not have sufficient weight to justify a refusal of the application. Instead, significant weight has been afforded to the outline permission 07/00985/OUT as updated by the recent detailed approvals for Phase 1, its electricity substation and the associated multi-decked car park. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), Planning Permission should therefore be granted.

Policies – SDP1, SDP4, SDP5, SDP7, SDP9, SDP10, SDP11, SDP12, SDP13, SDP14, SDP15, SDP16, SDP17, SDP22, NE6, L7 of the City of Southampton Local Plan Review - Adopted March 2006 as supported by policies CS6, CS11, CS13, CS18, CS19, CS20, CS22, CS24 and CS25 of the adopted Local Development Framework Core Strategy (2010) and the Council's current adopted Supplementary Planning Guidance.

NOTES

1. This permission relates to Planning Control only. Approval under the Building Regulations may also be required and should you be in any doubt about this, please contact Building Control Services, Tel. 023 8083 2558. Any other necessary consent must be obtained from the appropriate authority. Special attention is drawn to the fact that this permission does not relate to the display of advertisements and separate consent is required under the Town and Country Planning (Control of Advertisements) England Regulations 2007. Development affecting buildings of special Architectural or Historical interest is also subject of separate Listed Building Consent. Any queries should be made to Development Control Service as indicated below.
2. This permission has been granted on the basis of all the information submitted by the applicant shown on the plans accompanying the application. Any material misstatement or wrong information may invalidate the permission.
3. If the applicant is aggrieved by the decision of the Local Planning Authority to approve the proposed development, subject to conditions, they may appeal to the Secretary of State for Communities and Local Government, in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of decision. Appeals can be submitted on line www.planning-inspectorate.gov.uk or by a form available from the Planning Inspectorate, 3/15 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS2 9DJ. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted other than subject to the conditions imposed by it having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under that Order.
4. If permission to develop land is granted subject to conditions, whether by the Local Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, they may serve on the Council a purchase notice requiring the Council to purchase their interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
5. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade, and you are advised to contact Building Control Services as set out in Note 1.
7. For those developments which are covered by the Disability Discrimination Act, the attention of developers is drawn to the relevant provisions of the Act and to the British Standard B300:2001 Design of buildings and their approaches to meet the needs of disabled people code of practice.
8. The applicant is recommended to retain this form with the title deeds of the property.

Please address any correspondence in connection with this form quoting the application number to: **Development Control Service, Southampton City Council, Civic Centre SOUTHAMPTON. SO14 7LS**

Note to Applicant

S.106 Legal Agreement Informative

A Section 106 agreement relates to this site which includes a requirement for financial contributions towards: transport improvements, Green Travel, Highway condition, Public Art and a Waste Management Plan. A full copy of the S106 legal agreement is available on the Public Register held at Southampton City Council.

Contaminated Land Informative

The applicant is advised to refer to the comments and informatives made by the Council's Environmental Health (Pollution & Safety) Officer dated 13th August 2007.

Contaminated Land & Water Environment Informatives

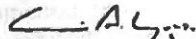
The applicant is advised to refer to the comments and informatives made by the Environment Agency dated 2nd August 2007.

Southern Water – Water Supply - Informative

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water's Network Development Team (Water) based in Chatham, Kent or www.southernwater.co.uk.

Southern Water – Public Sewerage - Informative

A formal application for connection to the public sewerage is required in order to service this development. Please contact Southern Water's Network Development Team (Wastewater) based in Otterbourne or www.southernwater.co.uk.



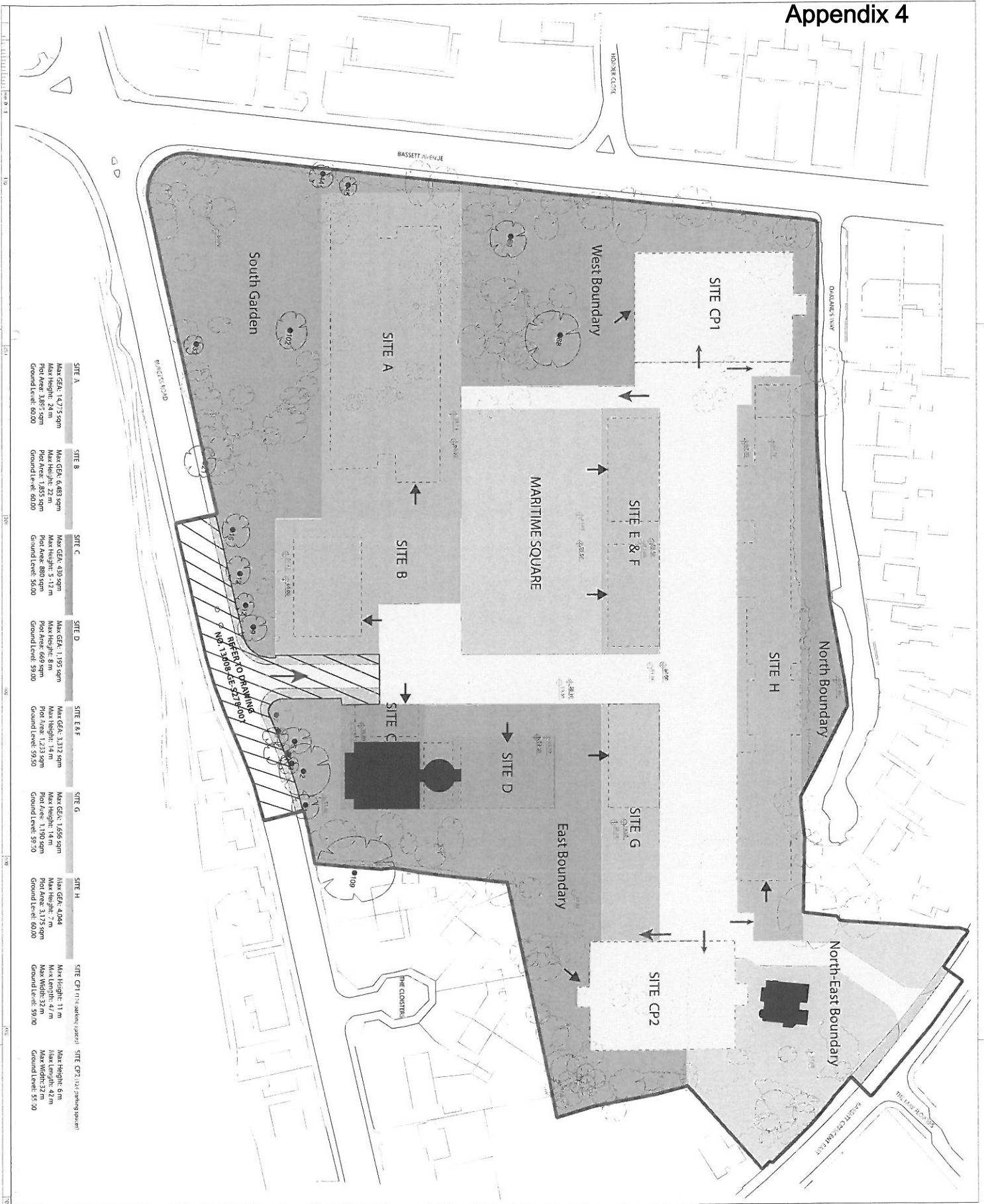
Chris Lyons
Planning & Development Manager

28 June 2012

If you have any further enquiries please contact:
Stephen Harrison

IMPORTANT NOTE TO APPLICANT

This decision has been made in accordance with the submitted application details and supporting documents and the development should be implemented in respect of the approved plans and drawings listed above.



SITE A	Max GEA: 14,715 sqm Max Height: 24 m Plot Area: 33875 sqm Ground Level: 60.00
SITE B	Max GEA: 6,483 sqm Max Height: 22 m Plot Area: 13853 sqm Ground Level: 60.00
SITE C	Max GEA: 430 sqm Max Height: 5-12 m Plot Area: 880 sqm Ground Level: 59.00
SITE D	Max GEA: 1,195 sqm Max Height: 8 m Plot Area: 669 sqm Ground Level: 59.00
SITE E & F	Max GEA: 3,312 sqm Max Height: 14 m Plot Area: 1,233 sqm Ground Level: 59.50
SITE G	Max GEA: 1,656 sqm Max Height: 14 m Plot Area: 1,190 sqm Ground Level: 59.50
SITE H	Max GEA: 4,044 sqm Max Height: 7 m Plot Area: 3,173 sqm Ground Level: 60.00
SITE CP1 (1/4 parking space)	Max Height: 11 m Max Width: 42 m Max Length: 42 m Ground Level: 59.00
SITE CP2 (1/4 parking space)	Max Height: 6 m Max Width: 42 m Max Length: 42 m Ground Level: 59.50

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A1

KEY:

- Existing Trees
- Trees to be removed
- Site A
- Site B
- Site C
- Site D
- Site E & F
- Site G
- Site H
- Site CP1 & CP2
- Strategic Landscape
- North-East Boundary
- Maritime Square
- Strategic Infrastructure
- Footpath
- Existing Buildings
- Site Boundary
- Proposed Vehicular Access
- Proposed Entry Points
- Proposed Ground Level
- Existing Ground Level

REFER TO PLINCKERS DRAWING NUMBER: 20/05/005
01.03 FOR PROPOSED PLANTING

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BOURNEWOOD PHASE 1

Subsidiary

University of Southampton

Buro Four Project Services Ltd, London

Cart London LLP, Southampton

Furo Hall Rd, London

Aqui, Bristol

GRIMSHAW

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E info@grimshaw-architect.com
www.grimshaw-architect.com

Development Framework Plan

17/05/2007 15:00 @ A1

AV 1:3000 @ A3

FOR APPROVAL

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Agenda Item 8

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 4th August 2015
Planning Application Report of the Planning and Development Manager**

Application address: 225 Portswood Road			
Proposed development: Change of use of ground floor from retail (class A1) to restaurant/café (class A3), Installation of a new shop front, extract flue and AC units to rear.			
Application number	15/01285/FUL	Application type	FUL
Case officer	Kieran Amery	Public speaking time	5 minutes
Last date for determination:	13.08.2015	Ward	Portswood
Reason for Panel Referral:	More than five letters of objection and a referral from Cllr O' Neill have been received.	Ward Councillors	Cllr Paul O'Neill Cllr Matthew Claisse Cllr Linda Norris

Applicant: Mr Jinfeng Chen	Agent: Mr Les Weymes
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Recommendation Summary	Conditionally approve
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. The proposed change of use from A1 to A3 within this secondary retail frontage is supported within Portswood District Centre. The proposed hours of operation are not considered materially harmful to highway safety, or the character and amenity of the local area, whilst preserving the character of the adjacent conservation area and the amenities of occupiers of nearby residential properties. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP16, HE1, RE4, RE15, RE17 of the City of Southampton Local Plan Review (March 2006) and CS13, CS14, CS18, CS19 of the Local Development Framework Core Strategy Development Plan Document (January 2010) as supported by the Portswood Residents Gardens Conservation Area Appraisal and Management Plan.

Appendix attached			
1	Development Plan Policies	2	Planning History
3	Permitted Hours of Operations		

Recommendation in Full

Conditionally approve

1.0 The site and its context

1.1 The site is located within the Portswood District Shopping Centre which is predominantly characterised by a range of commercial uses, including food and drink premises. The site is bounded by a service track to the rear which runs alongside the rear gardens of the residential properties in Abbots Way. The boundary of the Portswood Residents Gardens Conservation Area follows the rear edge of the gardens of these properties.

1.2 The application site itself is situated between a café and a betting shop and comprises a two-storey building, containing a commercial unit at ground floor, originally comprising a Use Class A1 charity shop (now vacant). The first floor is occupied by a residential unit.

2.0 Proposal

2.1 The proposal is for the change of use from retail (class A1) to a restaurant/café oriental dessert boutique (class A3), the installation of a new powder coated aluminium shop front, and an extract flue and air conditioning units to the rear. The unit provides just over 100 sq.m of floor space. The proposed hours of use are between 11.00 and 23.00 Monday to Sunday.

3.0 Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (March 2006) and the City of Southampton Core Strategy (January 2010). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

3.3 Policy CS3 of the Core Strategy supports the role of District Centre in meeting the week to week needs of the local community. Saved policy REI5 (District Centres) sets out that ground floor A3 uses will be permitted in District Centre locations. Similarly, policy REI7 (Food and Drink Uses) permits A3 uses in District Centre locations providing that suitable conditions are used to control the impact on amenity to local residents from disturbance and nuisance caused by cooking odours and noise. Saved policy CLT15 of the Local Plan accepts the principle of night-time uses within District Centre Locations.

3.4 Saved policy SDP1(i) seeks to protect the amenity of local residents, whilst policy SDP16 will not permit noise generating development if it would cause an unacceptable level of noise impact to nearby sensitive noise uses.

3.5 Saved policy HE1 (New Development in Conservation Areas) states that where development is adjacent to a conservation area, it will only be permitted where the character or appearance of the area is preserved or enhanced. The Portswood Residents' Gardens Conservation Area Appraisal and Management Plan (PRGCA) sets out a strategy for preserving and enhancing the conservation area.

4.0 Relevant Planning History

4.1 The relevant planning history is set out in **Appendix 2**. There have been no recent applications relating to this premises.

5.0 Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners, and erecting a site notice (26.06.15). At the time of writing the report **10** representations have been received. The following is a summary of the material considerations raised:

5.1.1 Comment

The proposal would have an adverse impact on amenity of nearby residential properties from noise disturbance caused by patrons returning home as they walk through nearby residential streets.

Response

A restaurant use is acceptable, in principle, in this mixed commercial and residential area. The application proposes a closing time of 23:00 which is slightly earlier than the 12:00 closing that is typically considered to be acceptable within Portswood District Centre. Indeed, there are a number of late night premises in the local area, including food and drink uses, which operate until midnight, including premises that the Council has approved and those which have been approved by the Secretary of State at appeal. Therefore, it is considered that allowing the premises to operate until 23:00 will not present any further material harm to the amenity of local residents.

5.1.2 Comment

There is already an over provision of fast food outlets, snack bars and restaurants in the district centre.

Response

The Council's adopted Development Plan policies recognise that food and drink uses can play an important role in maintaining the vitality and viability of retail centres and as such, support them in this location. The adopted Development Plan policies do not set a limit for the number of non-retail uses or food and drink uses within the District Centre. Night-time uses are an integral part of city life but in recognition of the impacts that such uses can have on residential amenity, the Council's policies guide them to City, Town and District Centre locations. Furthermore, it is considered that the nature of the use, as a restaurant, is less disruptive to residential amenity, than other late night uses within the vicinity of the site.

5.1.3 **Comment**

The extractor fans are unsightly and would harm the character of the conservation area.

Response

The mechanical equipment would be located to the rear of the site and would not be readily visible from public vantage points within the Conservation Area. A condition is, however, recommended to secure screening of the equipment.

5.1.4 **Comment**

Delivery and other vans are used more frequently in the late evening, restrictions should be placed on the opening hours on the times at which deliveries may be made.

Response

A condition is suggested to ensure that deliveries to the site take place within the day, to reduce the impact on residential amenity.

5.1.5 **Comment**

The extractor fan and air conditioning units do not seem to be regulated appropriately and would cause a harmful level of background noise. The equipment would also create unpleasant fumes and odours which would affect the enjoyment of the gardens in Abbots Way.

Response

Environmental Health have confirmed that the specifications and maintenance for the extraction equipment is suitable and conditions are imposed to secure their provision in accordance with the agreed details.

5.2 Consultation Responses

5.2.1 **SCC Environmental Health** - No objection in principle as the use is fitting for a high street location. The applicant has provided comprehensive detail of the specifications and maintenance for the extraction system which is deemed suitable if this scale of extraction system is indeed required. It seems to be excessive for removal of steam as opposed to odour and grease neither of which are likely to be produced by the intended use and the specification and size of the system and hence flue size could be reduced as to minimise potential noise and the visual effect (see condition 04, below).

5.2.2 One concern is the proximity of the air conditioning units to the windows of the first floor flat and feel this should be reviewed, perhaps at the same time as the intended acoustic tests are carried out to determine if additional insulation is required to the ceiling between the commercial and residential parts of the premises. Suggest conditions to address this (see condition 03 below).

5.2.3 **SCC Historic Environment** – The proposed air conditioning and extraction units do face the rear of the Conservation Area. Whilst they would be visible from some rear gardens, and obliquely from the rear access way, this in itself would not have a significant impact on the setting of the Conservation Area. It is recommend that the applicant is required to screen the equipment (condition 05 refers).

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- (i) Principle of Development;
- (ii) Impact on residential amenity;
- (iii) Impact on the character of the area and;
- (iv) Impact on highway safety

6.2 (i) Principle of Development

6.2.1 The principle of the A3 restaurant use in Portswood District Centre is supported by saved Local Plan policies REI4 (Secondary Retail Frontages) and REI5 (District Centres). The proposed development would occupy a vacant retail unit, formerly a charity shop, which is welcome in terms of enhancing the vitality and viability of the centre. Furthermore, saved policy CLT15 of the Local Plan supports night-time uses in Portswood District Centre. The principle of development is, therefore, acceptable.

6.3 (ii) Impact on residential amenity

6.3.1 The commercial uses within Portswood High Street have historically co-existed with the residential communities nearby. The rear of the site backs onto the rear gardens of the residential properties within Abbots Way separated by a service track. Food and drink uses play a role in the city's economy and the Council's policies guide such uses to the city, district and local centres.

6.3.2 In terms of the proposed mechanical equipment, as set out above, Environmental Health are satisfied that this can be provided without having a harmful impact on nearby residential properties, providing operational details are secured by conditions. Environmental Health have stated that the speculations and maintenance for the extraction equipment is suitable, however the size of the extraction flue may be excessive for the removal of steam, as the proposed use is unlikely to generate odours and grease. Environmental Health have suggested that the size of the extraction flue could be reduced in order to minimize the level of noise pollution caused (see condition 04 below). Environmental Health have also raised concerns over the proximity of the air conditioning units close proximity to the windows of the first floor flat above the retail unit. They have advised that this could be revised during the commencement of acoustic tests and have suggested conditions to secure this (recommended condition 03).

6.3.3 In terms of the proposed hours of use, it is considered the closing hours of 23:00 is appropriate within a District Centre location and it is noted, the application proposes lesser hours of operation than is typically considered to be acceptable in such locations (**Appendix 3** refers).

6.3.4 Overall, a restaurant use is not considered to be overly disruptive to residential amenity when compared with other late night uses within the locality. The proposed closing hour of 23:00 would accord with other similar uses within the District Centre which have a midnight closing hour, and moreover, is considered to be an appropriate termination time within commercial centres of this nature. As such, it is considered that the proposed hours of operation would not adversely affect the amenity of local residents.

6.4 (iii) Impact on the character of the local area

6.4.1 The proposed external alterations to the premises are minor and would be generally consistent with the other commercial premises within the street. The Council's policies recognise that food and drink uses can support the vitality and viability of the District Centre and, along with the City Centre, District Centres represent the most sustainable locations for late night uses in the city. Furthermore, the comings and goings to and from the premises would be widely dispersed over the large surrounding residential area so not to have a noticeable impact on the character of the local area.

6.4.2 There is an existing area to the rear of the premises used for refuse storage which can be collected from the service track. A condition is suggested to screen the extract equipment to improve the appearance of the premises when viewed from the rear of the site.

6.4.3 There is a distinctive physical and visual separation between the buildings forming part of Portswood District Centre and the Portswood Residents Gardens Conservation Area and the premises would not be readily visible from public vantage points within the Conservation Area. As such, the Council's Historic Environment officer has not objected to the application and the character of the conservation area would not be adversely affected.

6.5 (iv) Impact on highway safety

6.5.1 No customer car parking is proposed to serve the unit however, the site is located on a main bus route and there are car parks available within the vicinity of the site. Furthermore, the nature of the District Centre is to meet the needs of the local community and so the provision of no car parking is considered to be acceptable. One car parking space would be retained to the rear of the site for use by staff and again, given the accessibility of the site to public transport, this is considered to be sufficient.

7.0 Summary

7.1 The provision of a restaurant use within the Portswood District Centre is in accordance with the Council's adopted Development Plan policies. Furthermore, the proposal would bring a vacant unit back into active use which would have a positive impact on the vitality and viability of the Centre. The external alterations are considered to be in keeping with the site and surroundings and with the imposition of the conditions suggested below, the proposal would not have a harmful impact on residential amenity.

8.0 Conclusion

8.1 The proposal is judged to have an acceptable impact and, therefore, can be supported for conditional approval.

Local Government (Access to Information) Act 1985
Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(vv), 7(a), 9(a), 9(b)

KA for 04/08/15 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition - Physical works
The development works hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Hours of business

The ground floor A3 restaurant use hereby approved shall not be open for customers outside the following hours of 11:00-23:00 Monday to Sunday.

Reason:

In the interests of protecting the amenity of the occupiers of the nearby residential properties.

03. APPROVAL CONDITION – Soundproofing Measures (internal noise source) [Pre-Commencement Condition]

Prior to the commencement of the development hereby approved, a scheme for soundproofing of the restaurant to prevent noise disturbance to the first floor residential units, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details to minimise noise disturbance from the air conditioning units hereby approved. The soundproofing measures shall be implemented before the use hereby approved commences and thereafter retained as approved.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

04. APPROVAL CONDITION – Revised Extraction Equipment [pre-commencement condition]

Prior to the commencement of the development hereby approved, unless otherwise agreed in writing, revised details of extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed as approved before the use first commences and thereafter retained as approved.

Reason:

The specification of the extract equipment appears to be excessive for the nature of the cooking processes involved and a smaller scale system could be used to reduce the impact on the character and appearance of the area and the noise impact of the system.

05. APPROVAL CONDITION – Screening for Extraction Equipment [pre-commencement condition]

Prior to the commencement of the development hereby approved, details of screening for the extraction equipment shall be submitted to and approved in writing by the Local

Planning Authority. The screening shall be installed as approved before the use commences and thereafter retained as approved.

Reason:

In the interests of the character and appearance of the area.

06. APPROVAL CONDITION - Hours of work for Construction [Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

07. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (January 2010)

CS3	Town, District and Local Centres
CS13	Fundamentals of Design
CS14	Historic Environment

City of Southampton Local Plan Review – (March 2006)

SDP1	Quality of Development
SDP7	Urban Design Context
SDP16	Noise
SDP17	Lighting
HE1	New Development in Conservation Areas
REI4	Secondary Retail Frontages
REI5	District Centres
REI7	Food and Drink Uses (Classes A3, A4 and A5)
CLT15	Night time Uses

Supplementary Planning Guidance

Parking Standards SPD (September 2011)

Portwood Residents Gardens Conservation Area Appraisal and Management Plan

Other Relevant Guidance

The National Planning Policy Framework 2012

Relevant Planning History

1553/M22 – Change of use of ground floor from shop and stock rooms to building society office/agency and first and second floors from residential to offices. Refused 24/04/1979.

Reasons for refusal

1. The application premises lie in an area which is allocated primarily for shopping use in the Authority's approved Development Plan, and the proposed use would therefore be inappropriate and in conflict with the provisions of the plan.
2. The area in which the premises are situated is essentially retail in character and the proposed use, if permitted, would result in the loss of retail floor area and result in a non-retail frontage to the detriment of the amenities of the area.
3. Agreement to the proposed loss of retail floor space would make it difficult to resist similar proposals in the future which would tend to erode further the retail character of this important district shopping centre.
4. The proposal is contrary to the Local Planning Authority's general policy of resisting the incursion of office use into established shopping centres such as the Portswood District Centre and it is considered that the number of existing building society offices represents an adequate level of provision of building society offices for the centre.

1561/M28 - Installation of a new shopfront - CAP 27/11/1979

980014/W – Change of use from a retail shop (class A1) to Bakery and coffee shop (mixed use) and erection of a single storey rear extension. Refused 15/05/1998.

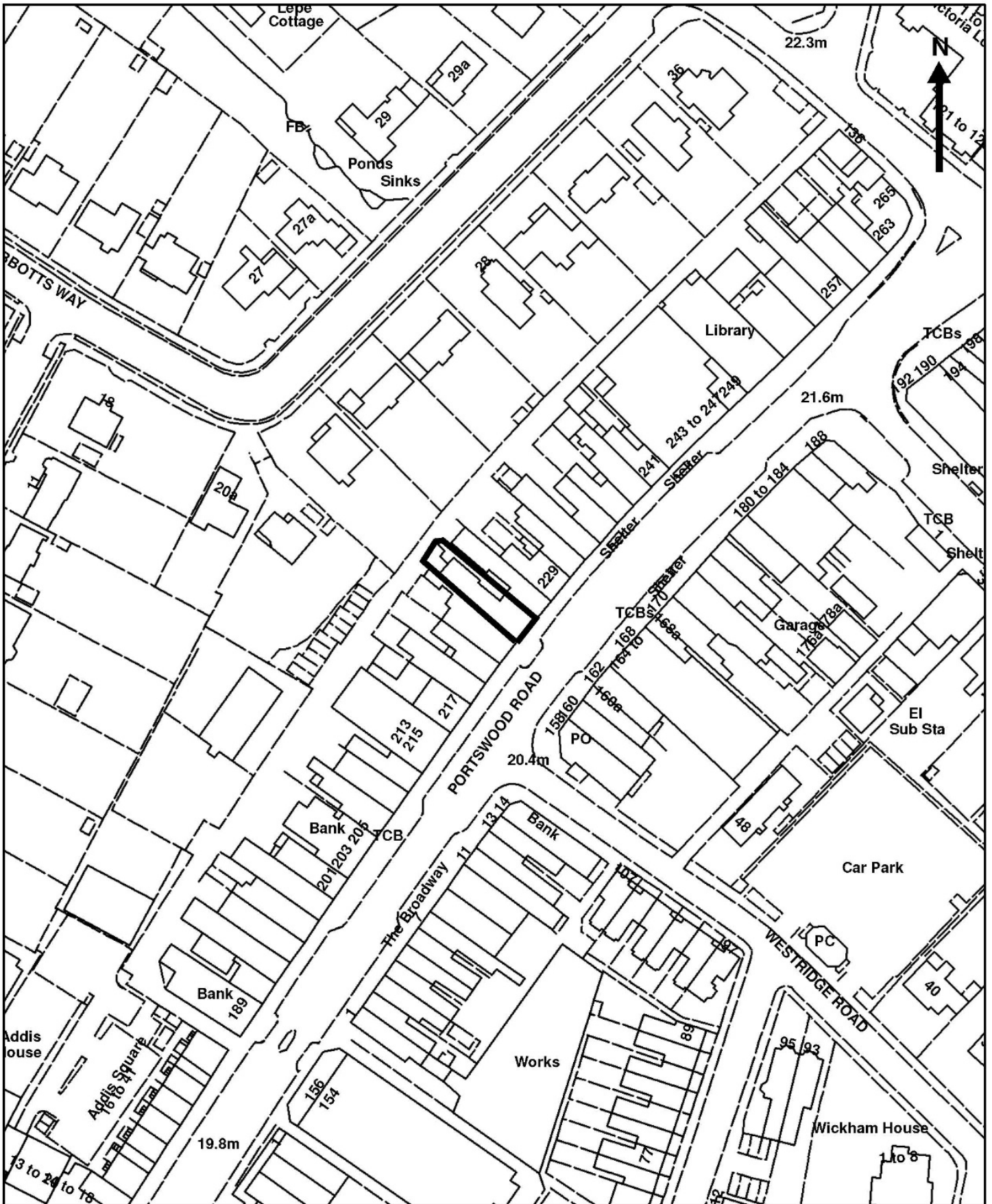
Reason for refusal

1. The proposed rear extension would result in the loss of the existing on-site parking space for the residential flat above the premises. This would cause increased demand for on-street parking in the area, and would be detrimental to the amenities of the residential unit concerned. Accordingly the proposal would be contrary to Policy GP1 and T33 of the city of Southampton local plan.

Table 1: Permitted Hours of Operation in Portswood

Address	Application Reference	Permitted Hours
The Brook Inn	05/01220/VC	11:00 to 1:30 Monday to Thursday 11:00 to 2:30 Fridays & Saturdays 12:00 to 00:30 Sundays
Units 5-6 The Portswood Centre	07/02055/VC	09:00 to 00:00 daily
Unit 7 The Portswood Centre	09/01208/FUL 14/01355/FUL	08:00 to 1:00 Sundays to Thursdays 08:00 to 2:00 Fridays and Saturdays
29-31 Portswood Road	13/00796/FUL	11:00 to 00:00
104 Portswood Road	12/00785/FUL	09:00 to 00:00
160 Portswood Road	12/00618/FUL	07:00 to 00:00 daily
253 Portswood Road	14/01981/FUL	07:00 to 00:00 daily
265 Portswood Road	99/01025/VC	Sundays until 00:00 Fridays and Saturdays until 01:00

15/01285/FUL



Scale: 1:1,250

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Agenda Item 9

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 4th August 2015
Planning Application Report of the Planning and Development Manager**

Application address: 18 Cavendish Grove			
Proposed development: Use of property as either a House in Multiple Occupation (HMO, Class C4) or a dwelling house (Class C3).			
Application number	15/01330/FUL	Application type	FUL
Case officer	Amber Trueman	Public speaking time	5 minutes
Last date for determination:	19/08/2015	Ward	Freemantle
Reason for Panel Referral:	Request by Ward Member and five letters of objection have been received	Ward Councillors	Cllr Moulton Cllr Parnell Cllr Shields
Referred by:	Cllr Moulton	Reason:	Out of Character

Applicant: Ms Eleanor Cook	Agent: N/A
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	No
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with the development plan as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP 5, SDP7, SDP9, SDP10, H4, H5 and H7 of the City of Southampton Local Plan Review (as amended 2015), CS4, CS16 and CS19 of the Local Development Framework Core Strategy Development Plan Document (as amended 2015) as well as the HMO SPD (March 2012) and the Parking Standards SPD (September 2011).

Appendix attached			
1	Development Plan Policies	2.	HMO Calculation

Recommendation in Full :	Conditionally Approve
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1.0 The site and its context

- 1.1 The application site is a two-storey, semi-detached dwellinghouse located on the westerly side of Cavendish Grove, which lies within The Avenue Conservation Area. At present the property has lawful C4 HMO status as proven by the tenancy agreements supplied with the application dating back to 2011. The property comprises a lounge, dining room/4th bedroom, kitchen and WC at ground floor level with a further 3 bedrooms and two WCs at first floor level.
- 1.2 The property is located in a residential area characterised by two-storey, semi-detached houses. The property does not benefit from off-road parking but there is a parking bay with four spaces directly opposite the front of the property.

2.0 Proposal

- 2.1 Permission is sought for a change of use from Class C4 (House in Multiple Occupation) to a flexible use falling within Class C3 (Dwellinghouse) or Class C4 (House in Multiple Occupation). No external or internal alterations are proposed in this application. However, the dining room which is currently the 4th bedroom, will be able to revert back to a dining room for the C3 use. Whilst the dining room will be lost when in C4 use, the property will still provide tenants with a communal lounge, kitchen and 3 WCs. The communal garden space of 107m² to the front of the property will also be preserved. There is no off-road parking available at present or proposed in the application.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 Core Strategy CS16 and Saved Local Plan policy H4 are relevant to the determination of planning applications for the change of use to HMOs. Policy CS16 of the Core Strategy states that the contribution that HMOs make to meeting housing need should be balanced against the impact on character and amenity of the area. Saved policy H4 of the Local Plan requires new HMOs to respect the amenities of neighbouring properties and the character of the area and to provide adequate private and useable amenity space.
- 3.3 The Houses in Multiple Occupation SPD (HMO SPD) was adopted in March 2012, which provides supplementary planning guidance for policy H4 and policy CS16 in terms of assessing the impact of HMOs on the character and amenity and mix and balance of households of the local area. The SPD sets a maximum threshold of 20% for the total number of HMOs in the ward of Freemantle which is measured from the application site within a 40m radius or the 10 nearest residential properties (section 6.5 of the HMO SPD refers).
- 3.4 The National Planning Policy Framework (NPPF) came into force on 27th March 2012 and replaces the previous set of national planning policy guidance notes

and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

- 4.1 1636/M13/19 - Conversion of 18 Cavendish Grove to two flats and one house and 19 Cavendish Grove to two flats and one house (Conditionally Approved 18/10/1983).

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (03/07/2015). At the time of writing the report **5** representations have been received from surrounding residents, and **1** representation has been received from Ward Councillor Moulton. The following is a summary of the points raised:

- 5.1.1 **Parking problems will be aggravated with additional vehicles. [With over 50 residencies] this results in a considerable number of traffic movements, sometimes at speed, in what is a narrow roadway, often hampered by parked vehicles which do not necessarily belong to residents.**

Response:

It is not considered that the proposed use would have an adverse impact in terms of highways safety. The same off-road parking arrangements would remain unchanged and it is considered that there is sufficient parking within the road and surrounding areas. The site lies within an area of Medium Accessibility to Public Transport (Public Transport Accessibility Level 3) and is within close proximity to the City Centre public transport opportunities and shops and services. However, provision for cycle storage should be made on the property to encourage an alternative mode of transport. As such, the Council's Highway Team have not objected to the proposal.

- 5.1.2 **Number 18 should be a dwelling house and not an HMO as it would be out of character with the road and is not needed or desirable. There is no shortage of properties in the C3, C4 class in nearby areas.**

Response:

The applicant has already provided proof that the property has been in use as an HMO since 2011. Notwithstanding this information, the application has been assessed in line with the HMO SPD. As such, a calculation was undertaken to ascertain whether any existing HMOs are present within a 40m radius of the application site. None have been identified. This would be the first HMO within a 40m radius. The HMO SPD sets a maximum threshold of 20% of HMOs in a 40m radius to minimise the impact of this type of use in terms of residential amenity. Furthermore, the limited occupancy of the HMO to no more than 4 persons is considered to be acceptable in this context. It is therefore, considered that the proposed use would not be harmful to the character of the area. A suitably worded planning condition will however, be imposed to restrict the number of occupants.

5.1.3 **Occupiers of the houses and flats along the street contribute to the appearance of this conservation area, and multiple occupants may not share this communal responsibility of residents and owners.**

Response:

The site is large enough to accommodate satisfactory arrangements for the storage and collection of refuse so the impact of such should not be one of immediate concern. A planning condition is suggested to secure this and to ensure that refuse bins are kept to the side of the house at all times except on collection days. Again, it should be noted that the property has already been functioning as a C4 and following a site visit the property is not thought to look neglected. However, the maintenance of the property is the responsibility of the owner and should be discussed separately.

5.1.4 **Overdevelopment results in increased levels of population, which has adverse effects on the infrastructure like sewage and drainage, which when constructed were not intended for the increased volume.**

Response:

The level of activity associated with the proposed HMO is not considered to be significantly greater than that of a Class C3 dwellinghouse. As aforementioned, the property has been used as a C4 HMO for multiple years and with only 4 tenants the level of activity is not thought to be far different from that of a single family dwelling. Again, a suitably worded condition will be recommended to limit the occupants to 4.

5.1.5 ***No. 18 is best suited to the status of single family dwelling. This house, with proximity to the city, transport, open spaces, university and hospital employment, is an ideal single family home, and should remain classified C3(a), change to C3(b), (c) or C4 would seem inappropriate and undesirable.***

Response:

A site visit was undertaken to assess the quality of the residential accommodation. This property is of an appropriate size to be used as a HMO, will provide a good-quality residential environment for occupants and is thought to be in an appropriate location close to the city centre, universities and parks with excellent transport links to other locations. Furthermore, the Council's Private Sector Housing Team have raised no objections to the use and a condition will be imposed to restrict occupation under Class C4 to 4 people only.

Consultation Responses

5.2 **Heritage Conservation** – No objection. Cavendish Grove lies within The Avenue Conservation Area, and recently had an Article 4 Direction removing permitted development rights imposed. It is a private road and there are no parking restrictions. Issues with parking were probably the most common raised during the public consultation with residents prior to the serving of the Article 4.

The application shows no changes to the external appearance of the building or to the front garden. In that sense it will have no impact on the character and appearance of the conservation area. On-street parking may impact on the adjacent Common Land and a car-free scheme may be a better solution.

Any future proposals to remove the front boundary wall to create parking spaces in the existing garden would be opposed.

6.0 Planning Consideration Key Issues

6.1 The determining issues for this application relate to; a) whether the proposed use is acceptable in principle; b) whether the proposal would have a harmful impact on residential amenity or the character of the local area, and c) the impact of the proposed use in terms of parking and highways safety.

6.2 Principle of Development

6.2.1 Permission is sought for a flexible use of the property as a Class C3 dwelling house or a Class C4 HMO. When assessing applications for the conversion of a property into a HMO, policy CS16 (2) is applicable where internal conversion works limit the buildings' ability to be re-used as a C3 dwelling house in the future. The proposed conversion does not involve any significant alterations to the existing property and as such, it could be converted back to a single-family dwelling house in the future. The proposal does not, therefore, result in the net loss of a family home and the proposal would be in accordance with policy CS16 of the Core Strategy. The proposed development is also in accordance with saved policies H1 and H2 of the Local Plan which support the conversion of existing dwellings for further housing and require the efficient use of previously developed land. The proposed development meets a recognised housing need for single person households or for those with lower incomes and is therefore, acceptable in principle.

6.2.2 The HMO Supplementary Planning Document (HMO SPD) sets out that for the Freemantle ward, in which the application site is located, the maximum number of HMOs within a 40 metre radius of the application property should not exceed 20%. As such, if the percentage of HMOs within a 40m radius exceeds 20%, applications for additional HMOs will be refused for being contrary to policy.

6.2.3 12 properties were initially identified within a 40m radius of the application site. Discounting all 1 or two bed units in accordance with the HMO SPD, this was brought down to 7. Based upon information held by the City Council's Planning, Council Tax, Environmental Health and Electoral Registration departments, it has been identified that there are no HMOs within the area at the current time. When the application site is included, there would be 1 HMO out of the 8 properties within the 40m radius or 12.5%. This is below the 20% threshold. As such, this proposal would not result in an overconcentration of HMOs within the surrounding area and is therefore, considered to be acceptable in principle, in accordance with saved policy H4 of the City of Southampton Local Plan Review and the Houses in Multiple Occupation SPD.

6.3 Residential Amenity and Local Character

6.3.1 Saved policy H4 of the City of Southampton Local Plan Review 2010 states that: 'Planning permission will only be granted for conversions to houses in multiple occupation where: (i) it would not be detrimental to the amenities of the residents of adjacent or nearby properties; and (iii) adequate amenity space is provided which (a) provides safe and convenient access from all units; (b) is not

overshadowed or overlooked especially from public areas; and (c) enables sitting out, waste storage and clothes drying’.

6.3.2

The threshold approach, as set out in the HMO SPD, is a key way to manage the impacts of HMOs on residential amenity. The use of this property as a HMO is not considered to give rise to a level of activity that would be significantly greater than that associated with a Class C3 dwelling house, since no more than 4 residents would occupy the property at any one time whilst it is being used as a HMO. The application site has also functioned as a C4 from 2011 and this has not seemed to give rise to any complaints or enforcement cases. Furthermore, the application seeks permission for a flexible use between C3 and C4 indicating that the property will be used as a single family dwelling house for parts of the year. As such, the flexible use of this property as a C3 dwelling house and a C4 HMO is not considered likely to have a significant impact on the residential amenities of nearby residential occupiers.

6.3.3

In addition, the application does not propose any external or internal alterations except the change of use of a dining room to a 4th bedroom. As previously mentioned, whilst the dining room will be lost whilst in C4 use, the property will still provide tenants with a communal lounge, kitchen and 3 WCs which is deemed acceptable. The communal garden space of 107m² to the front of the property will also be preserved. There is no off-road parking available at present or proposed in the application and it will be conditioned that the front garden space will be retained as usable amenity space for occupants and not used for parking. With no external changes proposed the change of use is not considered to present any harmful impact to the conservation area in which it is located.

6.4

Highways Safety and Parking

6.4.1

The HMO SPD outlines maximum car parking standards for HMOs. In this instance, a maximum provision of 2 spaces would apply for a Class C4 HMO. There is currently no space for the parking at the application site and no additional parking spaces are proposed in the present application. There is, however, parking available on the road and in other places within the area and cycle storage should be provided on site to encourage other means to transport to car use. As noted above, given the location of the site, at the edge of the city centre, it is considered that sufficient parking is available at the application site but cycle storage must also be provided as an alternative.

7.0

Summary

7.1

The flexible use of this property as a C3 dwelling house and a C4 HMO is considered to be acceptable and would not be detrimental to residential amenity, the character of the surrounding area or highways safety. The development is considered to be acceptable in terms of other planning considerations.

8.0

Conclusion

8.1.1

To conclude, this proposal is considered to have an acceptable impact and can therefore, be recommended for conditional approval.

Local Government (Access to Information) Act 1985
Documents used in the preparation of this report Background Papers

1(a), 1(b), 1(c), 1(d), 2(b), 2(d), 4(aa), 4(f), 4(qq) and 4(vv)

AT for 04/08/15 PROW Panel

PLANNING CONDITIONS

1. APPROVAL CONDITION - Full Permission Timing Condition - Change of use
The use hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990(as amended).

2. APPROVAL CONDITION - C3/C4 dual use [Performance Condition]
The dual C3 (dwellinghouse) and/or C4 (House in multiple occupation) use hereby permitted shall be for a limited period of 10 years only from the date of this Decision Notice (under Class V, Part 3, Schedule 2 of the Town and County Planning (General Permitted Development) Order 2015). The use that is in operation on the tenth anniversary of this Decision Notice shall thereafter remain as the permitted use of the property.

Reason:

In order to provide greater flexibility to the development and to clarify the lawful use hereby permitted and the specific criteria relating to this use.

3. APPROVAL CONDITION - Room restrictions [Performance Condition]
The ground floor room annotated on the submitted floor plans as the lounge shall remain as communal space for the occupiers of the dwelling throughout the occupation of the building as a Class C4 HMO and shall at no time be used as bedrooms unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

To maintain sufficient residential environment for occupiers and to ensure that there is not intensification of use of the site as a whole.

4. APPROVAL CONDITION - Number of occupiers [Performance Condition]
The number of occupiers within the property, when in Class C4 use, shall not exceed 4 persons unless otherwise agreed upon in writing by the Local Planning Authority.

Reason:

In the interests of protecting the residential amenity of local residents from intensification of use and define the consent for avoidance of doubt.

5. APPROVAL CONDITION - Cycle storage [Pre-Occupation Condition]
The property shall not be occupied as a Class C4 HMO until secure and covered cycle storage have been implemented in accordance with details to be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be retained thereafter.

Reason:

To encourage cycling as an alternative form of transport.

6. APPROVAL CONDITION - Refuse storage and collection [Performance Condition]

Prior to occupation, of a covered refuse store to the side of the property shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter. Unless otherwise agreed by the Local Planning Authority, except for collection days only, no refuse shall be stored to the front of the property.

Reason:

In the interest of visual amenity and for the safety and convenience of the users of the adjacent footway.

7. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

Note to Applicant

A HMO License will be required to operate the property as a Class C4 HMO. The applicant is advised to contact the HMO licensing team for more information or to see the following link;

<http://www.southampton.gov.uk/housing-council-tax/landlords-home-owners/landlords/houses-in-multiple-occupation/licensing-houses-in-multiple-occupation/default.aspx>

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS16	Housing Mix and Type
CS19	Car & Cycle Parking

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
H4	Houses in Multiple Occupation
H5	Conversion to residential Use
H7	The Residential Environment

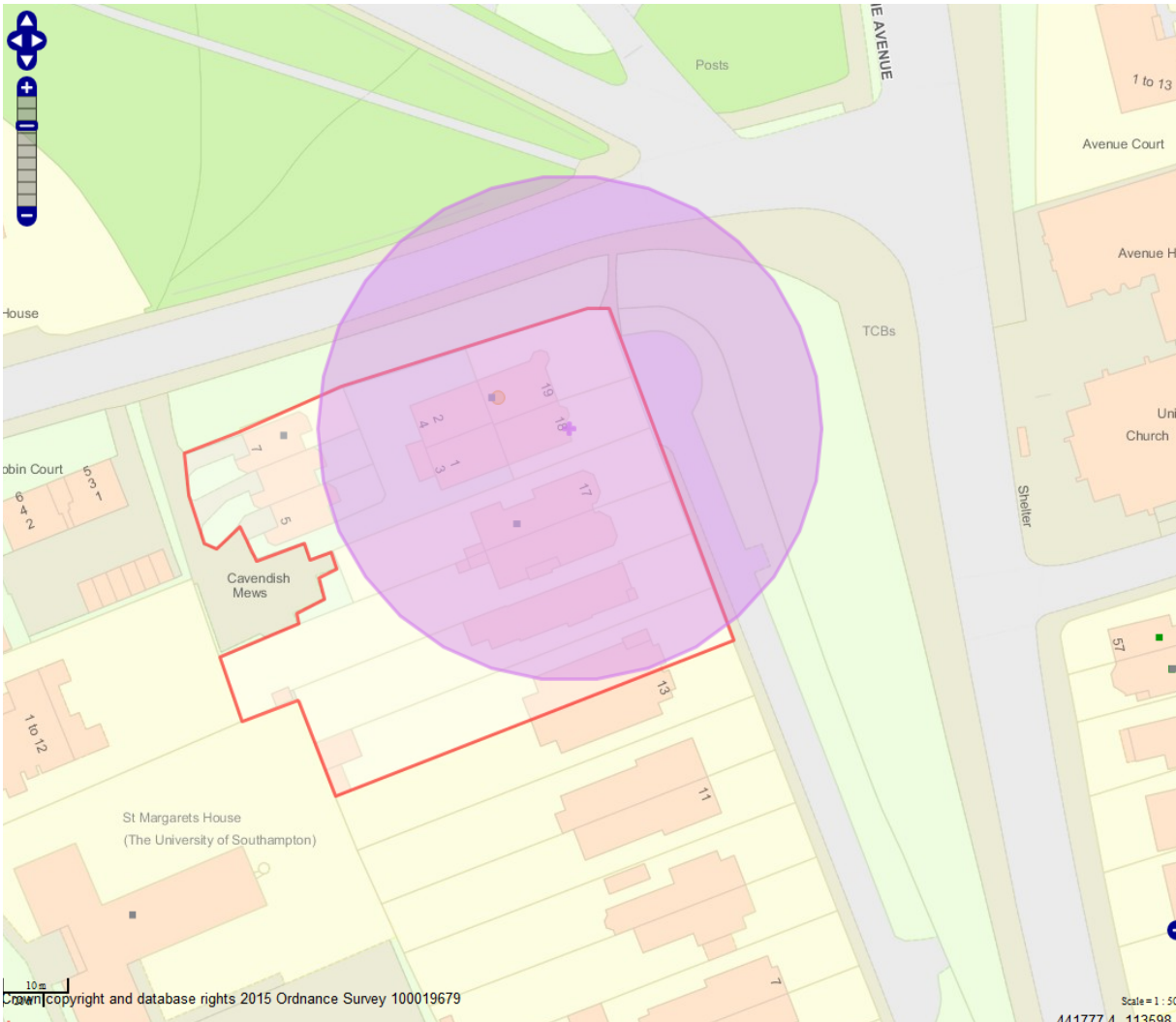
Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)
Parking Standards SPD (September 2011)
HMO SPD (March 2012)

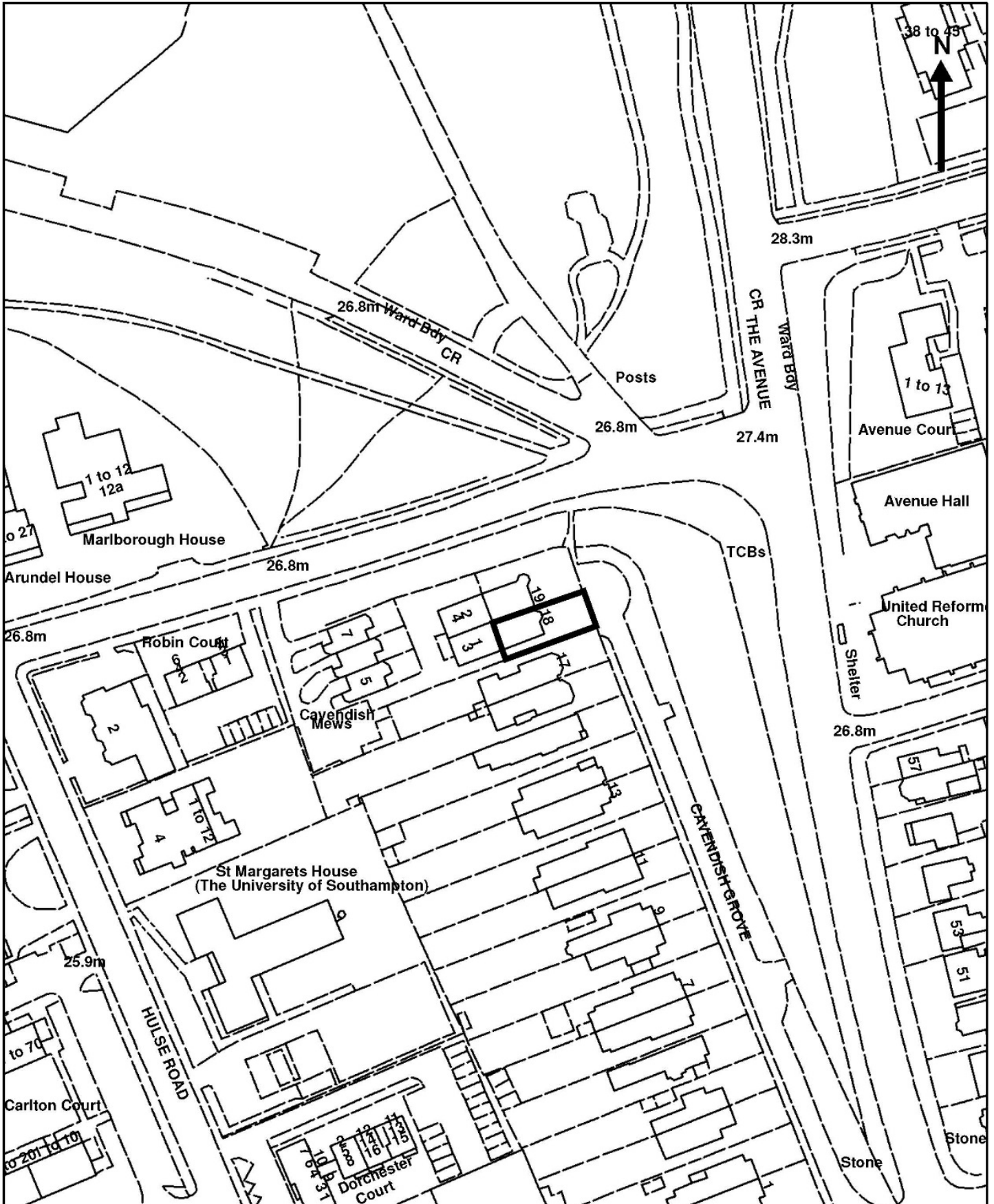
Other Relevant Guidance

The National Planning Policy Framework (2012)

HMO CALCULATION



Total number of counted properties (including 18 Cavendish Grove): 8
Total number of existing HMOs: 0
Percentage of residential properties that are HMOs within radius at present: $0/8 = 0\%$
Percentage of residential properties that are HMOs within radius if given consent: $1/8 = 12.5\%$



Scale: 1:1,250

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Agenda Item 10

**Planning, Transport & Sustainability Division
Planning and Rights of Way Panel 4th August 2015
Planning Application Report of the Planning and Development Manager**

Application address: Land adjacent to 153 Athelstan Road			
Proposed development: Erection of a 2-storey, 3-bed detached house with associated parking and formation of new vehicular access (resubmission)			
Application number	15/01346/FUL	Application type	FUL
Case officer	Jenna Turner	Public speaking time	5 minutes
Last date for determination:	21.08.15	Ward	Peartree
Reason for Panel Referral:	Request by Ward Member	Ward Councillors	Cllr Paul Lewzey Cllr Houghton Cllr Eamonn Keogh
Referred by:	Cllr Keogh	Reason:	Insufficient parking, highway safety impact and impact on residential amenity.

Applicant: Ms Nataliya Kovalevych	Agent: EA Consulting
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Recommendation Summary	Conditionally approve
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Community Infrastructure Levy Liable	Yes
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Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 186-187 of the National Planning Policy Framework (2012). Policies - SDP1, SDP5, SDP7, SDP9, SDP10, SDP12, H1, H7 of the City of Southampton Local Plan Review (March 2006) and CS4, CS5, CS13, CS16, CS18, CS19,

Appendices attached			
1	Development Plan Policies	2.	Planning History
3	Highways Officer Comments		

Recommendation in Full	Conditionally Approve
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1.0 The site and its context

- 1.1 The application site comprises a vacant piece of land at the eastern end of Athelstan Road, close to the junction with Peartree Avenue. The area of land is fenced off from the neighbouring residential properties and somewhat overgrown by vegetation. It does not appear to have ever formed part of the private gardens of the neighbouring properties.
- 1.2 The site lies adjacent to the brow of the hill in Athelstan Road and there is, therefore, a change in levels affecting the site, with the land sloping down from the junction with Peartree Avenue. The site is set at a slightly lower level than the adjacent public footway and the levels across the site itself also vary, generally sloping upwards from north-west to north-east.
- 1.3 The surrounding area is residential with a suburban character. The properties within the area are typically detached, with hipped roof and front bay windows.

2.0 Proposal

- 2.2 The application proposes a detached, two-storey house which would comprise 3 bedrooms. One car parking space would be provided to the front of the property accessed from Athelstan Road. The property would have a hipped roof with double-height front bay window. The elevations would be finished in brickwork to the ground floor and render at first floor level.
- 2.3 The application includes works to level the site, including some cut and fill. The greatest change to the existing levels is to the rear of the site, where the land would be raised by just over 1 metre to form a terraced patio area.
- 2.4 A rear garden area would be provided of just over 83 sq.m which varies between 8 and 10 metres in depth.

3.0 Relevant Planning Policy

- 3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015). The most relevant policies to these proposals are set out at **Appendix 1**.
- 3.2 The site is not identified for development purposes within the adopted Development Plan and lies within an area of medium accessibility to public transport (Public Transport Accessibility Level 3).
- 3.3 The National Planning Policy Framework (NPPF) came into force on 27th March

2012 and replaces the previous set of national planning policy guidance notes and statements. The Council has reviewed the Core Strategy to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4.0 Relevant Planning History

- 4.1 Full details of the planning history of the site are set out in **Appendix 2** of this report. There have been a number of previous applications on this site seeking permission for the construction of a dwelling.
- 4.2 In 1988 planning permission was granted for the construction of a dwelling which was designed to appear as a bungalow from the street, although incorporated a significant basement area. This was followed by the approval of an alternative scheme in 1994 which comprised a three-storey dwelling with an integral garage.
- 4.3 Similar applications for large, three-storey houses were refused planning permission in 2002 and 2005.
- 4.4 Of most relevance, however, is the refusal, earlier this year, of an application to construct a house (reference 14/02023/FUL). The current application seeks to address the reasons for refusal set out in **Appendix 2** of this report. The key difference between the two schemes are set out as follows:
- The footprint of the building has been reduced by approximately 30 sq.m, enabling an increase in the garden area.
 - The previous application incorporated a single-storey flat roof integral garage which projected forward of the street building line and included a ramped vehicular access. This element has been omitted from the current application.
 - The design has been amended to incorporate a double-height bay window to the frontage and proportions of the fenestration have changed.
 - The current application provides comprehensive site sections and existing and proposed land level information.

5.0 Consultation Responses and Notification Representations

- 5.1 Following the receipt of the planning application, a publicity exercise in line with department procedures was undertaken which included notifying adjoining and nearby landowners and erecting a site notice (07.07.15). At the time of writing the report **3** representations have been received, including an objection from Cllr Keogh. The following is a summary of the points raised:

- 5.1.1 **Comment:**
The development is too large and set too far back from the front boundary. It would appear over-bearing when viewed from the neighbouring properties.

Response

The scale and massing of the proposed dwelling is compatible with the houses that neighbour the site. The dwelling is set back from the 153 Athelstan Road by approximately 2 metres. This set-back assists in creating frontage car parking but also enables a step back to the corner property at 159 Peartree Avenue. Since the neighbouring properties on Peartree Avenue are set at a significantly

higher level than the application site, the impact of the positioning of the dwelling is not significantly harmful.

- 5.1.2 **Comment:**
The design does not fit in with the surrounding 1930s properties in the area.

Response:

The appearance and proportions of the proposed house reflect the main characteristics of the street. A condition is suggested to secure a good-quality palette of external materials to enable the property to integrate into the context.

- 5.1.3 **Comment:**
The house will result in a loss of privacy to the neighbouring properties.

Response:

The dwelling has been designed to avoid placing habitable room windows on the side elevations and the separation to the neighbouring properties, together with the change in levels avoids harmful overlooking. Furthermore, it is noted that this was not included as a reason for refusing application 14/02023/FUL.

- 5.1.4 **Comment:**
The new vehicular access will exacerbate existing highway safety issues.

Response:

The application proposes the creation of a raised parking area at the same level as the adjoining public footway and it is positioned more centrally in the plot to maximise visibility from the access. As such, Highways have raised no objection and the proposal is considered to be acceptable in this respect.

- 5.1.5 **Comment:**
One parking space for a three-bedroom property is insufficient and would lead to additional on-street car parking.

Response:

The Council's adopted Parking Standards SPD permits a maximum of 2 car parking spaces to serve a three-bedroom property. The application site lies within 500 metres of Bitterne District Centre, which provides a range of shops and services, and the high accessibility bus corridor. As such, the provision of one car parking space is considered to be appropriate and also maximises visibility from the site access.

5.2 **Consultation Responses**

- 5.2.1 **SCC Highways** - No objection. Suggest further minor changes to the front access to improve the safety for prospective residents and to improve arrangements for the collection of refuse and recycling (see full comments in **Appendix 3**). Revised details have been sought and an update will be provided at the Panel meeting.
- 5.2.2 **SCC Sustainability Team** – Suggest conditions to secure energy and water efficiency in the dwelling.

- 5.2.3 **SCC Environmental Health (Pollution & Safety)** - No objection. Suggests conditions to minimise disturbance to neighbours during the construction process.
- 5.2.4 **SCC Structural Engineers** - No objection. The application site does not lie within an area of known land instability. As the application proposes a retaining wall adjacent to the highways, Technical Approval and the appropriate license from the Highways Authority will be required, before works commence.
- 5.2.5 **SCC Ecology** - No objection. Although the site has the potential to support low numbers of slow worms, it is of negligible value to biodiversity. Appropriate landscaping of the garden area to the proposed dwelling could ensure that the site could continue to support a slow worm population. Suggests a condition to secure a method statement for site clearance and landscaping details.

6.0 Planning Consideration Key Issues

- 6.1 The application needs to be assessed in terms of the following key issues and in terms of whether the reasons for application 14/02023/FUL being refused have been fully addressed:
- (i) The principle of development;
 - (ii) The impact on living conditions;
 - (iii) The impact on the character and appearance of the area;
 - (iv) Highways and Parking;
 - (v) Land Stability and;
 - (vi) Impact on protected habitats.
- 6.2 (i) Principle of Development
- 6.2.1 The application would make good use of a vacant and under-used piece of land to provide housing and the application would provide a genuine family home, for which there is an identified need in the city. The resultant residential density is 50 dwellings per hectare, which is at the lower end of the range set out by policy CS5 of the Core Strategy for Medium Accessibility locations such as this. The principle of development is, therefore, acceptable.
- 6.3 (ii) Impact on Living Conditions
- 6.3.1 The reasons for refusing application 14/02023/FUL did not cite harm to the amenities of neighbouring occupiers of the site. Nonetheless, the application proposes a dwelling of lesser massing, when compared with the previously refused scheme and so the relationship with the neighbouring residential properties has improved. Due to the change in land levels, the eaves height of the proposed dwelling would be just over a metre taller than a 2 metre high boundary treatment between the site and the neighbouring properties in Peartree Avenue. Furthermore, the roof of the dwelling would pitch away from this boundary minimising the impact on the neighbouring houses and gardens.
- 6.3.2 The dwelling is designed to avoid direct overlooking of the neighbouring houses and gardens on Peartree Avenue with an absence of habitable room windows to the side elevations of the dwelling.

- 6.3.3 Whilst the proposed house would project further to the rear than the neighbouring property at 153 Athelstan Road, the deeper section of building is positioned away from the boundary with this property, ensuring that the neighbour retains an acceptable level of outlook from, and sunlight to, the rear of their property.
- 6.3.4 The quality of accommodation proposed is also considered to provide an acceptable residential environment for prospective occupants of the proposed dwelling. Despite the change in levels across the site, outlook from all habitable rooms would be good and the quality and quantity of the private amenity space is considered to be appropriate.
- 6.4 (iii) Impact on the Character and Appearance of the Area
- 6.4.1 As set out in **Appendix 2** of this report, the previous refusal of permission cited harm to the character of the area due to the design and cramped nature of the development. There has been a reduction in the footprint of the building of approximately 30 sq.m, when compared with the refused scheme, and this has improved the quantity of the rear garden area and the sense of space around the dwelling.
- 6.4.2 The earlier scheme also included an unsightly flat roof, single-storey garage which projected significantly forward of the established building line in Athelstan Road. This element has been omitted in the current proposal which represents a significant improvement in the design and appearance of the dwelling within Athelstan Road. The form and massing of the dwelling combined with the relationship to its plot is now reflective of the typical pattern of development within Athelstan Road. Furthermore, the amendments to the appearance of the dwelling would ensure that the dwelling would fit comfortably within the established street scene.
- 6.5 (iv) Highways and Parking
- 6.5.1 The previous reason for refusal relating to highway safety objected to the poor visibility from the site access. Essentially the previous application included an integral garage which was set back 1.5 metres from the edge of footway and approximately 600mm below pavement level. This meant that the drivers emerging from the garage would have little visibility of oncoming traffic. The application now proposes an external parking space to the front of the dwelling which would be at pavement level. The Highways Team full consultation response is included as **Appendix 3** to this report and in summary, they are satisfied that, with some final revisions to the design of the forecourt, the raised level of the parking area and its positioning more centrally in the plot, would achieve an acceptable level of visibility. As such, the Highways Team are satisfied that the previous reason for refusal has been addressed subject to the final minor changes to the detailed design. These changes have been sought and an update will be provided at the meeting.

6.5.2 The application makes provision for the parking of one vehicle on the site. It is noted that the same ratio of parking was provided for the previously refused scheme and that this was considered acceptable at the time of the decision. The provision of one space strikes a balance between providing some parking for the occupants of the dwelling and maximising visibility from the access. Moreover, since the site lies within 500 metres of Bitterne District Centre and the high accessibility bus corridor, the level of parking is considered to be appropriate in terms of encouraging more sustainable modes of travel other than the private car.

6.6 (v) Land Stability

6.6.1 The application site does not lie within an area of known land instability and the application drawings provides more comprehensive information than the previous application in term of the works to the site levels. As such, the Council's Structural Engineers are now satisfied that, following the grant of planning permission, other relevant legislation, including Building Regulations and the Technical Approval process will ensure that the development can be constructed without resulting in land instability that would undermine property, infrastructure or the public. Notwithstanding this, a condition is suggested to secure full details of the ground conditions and construction method, prior to any development commencing.

6.7 (vi) Impact on Protected Habitats

6.7.1 The Conservation of Habitats and Species Regulations 2010 (as amended) provides statutory protection for designated sites, known collectively as Natura 2000, including Special Areas of Conservation (SAC) and Special Protection Areas (SPA). This legislation requires competent authorities, in this case the Local Planning Authority, to ensure that plans or projects, either on their own or in combination with other plans or projects, do not result in adverse effects on these designated sites. The Solent coastline supports a number of Natura 2000 sites including the Solent and Southampton Water SPA, designated principally for birds, and the Solent Maritime SAC, designated principally for habitats. Research undertaken across south Hampshire has indicated that current levels of recreational activity are having significant adverse effects on certain bird species for which the sites are designated. A mitigation scheme, known as the Solent Disturbance Mitigation Project (SDMP), requiring a financial contribution of £172 per unit has been adopted. The money collected from this project will be used to fund measures designed to reduce the impacts of recreational activity. This application has complied with the requirements of the SDMP and meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended).

7.0 Summary

7.1 The proposed development is considered to be in keeping with the site and surrounds and would not have a harmful impact on the living conditions of nearby residential occupiers. The proposal is considered to have addressed the previous reasons for refusing application 14/02023/FUL and is, therefore, considered to be acceptable.

8.0 Conclusion

- 8.1 In conclusion, the proposal is judged to have an acceptable impact in accordance with the Council's current policies and guidance and, therefore, is recommended for conditional approval.

Local Government (Access to Information) Act 1985 **Documents used in the preparation of this report Background Papers**

1 (a), (b), (c), (d), 2 (b), (d) 6 (c), 7 (a), 9 (a) and (b)

JT for 05/08/15 PROW Panel

PLANNING CONDITIONS

01. APPROVAL CONDITION - Full Permission Timing Condition

The development hereby permitted shall begin not later than three years from the date on which this planning permission was granted.

Reason:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. APPROVAL CONDITION - Land Stability Report Submission [Pre-Commencement Condition]

Before the commencement of the development hereby approved, including site clearance and preparation works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

1. a full investigation and survey of site ground conditions
2. a full assessment of on-site land stability problems
3. a full appraisal of off-site land stability and land slippage and transfer issues that could result from the development
4. a full assessment of the impact of construction works on the stability of adjacent highways together with suitable mitigation solution measures to counter any issues identified and an implementation programme for the employment of such mitigation measures which shall be agreed in writing by the Local Planning Authority.

The development shall thereafter proceed in accordance with the agreed details.

Reason:

To ensure that the works are in full accordance with the need to protect the land stability of the locality.

03. APPROVAL CONDITION - Details of building materials to be used [Pre-Commencement Condition]

Notwithstanding the information shown on the approved drawings and application form, no development works shall be carried out until a schedule of external materials and finishes, including samples where necessary, has been submitted to and approved in writing by the Local Planning Authority. These shall include full details of the manufacturers, types and colours of the external materials to be used for external walls, windows, doors and the roof of the proposed buildings. It is the Local Planning Authority's practice to review all such materials on site. The developer should have regard to the context of the site in terms of surrounding building materials and should be able to demonstrate why such materials have been chosen and why alternatives were discounted. If necessary this should include presenting alternatives on site. Development shall be implemented only in accordance with the agreed details.

Reason:

To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality.

04. APPROVAL CONDITION - Landscaping, lighting & means of enclosure detailed plan [Pre-Commencement Condition]

Notwithstanding the submitted details, before the commencement of any site works a detailed landscaping scheme and implementation timetable shall be submitted to and approved by the Local Planning Authority in writing, which includes:

- i. proposed finished ground levels or contours; means of enclosure; car parking layouts; other vehicle pedestrian access and circulations areas, hard surfacing materials, structures and ancillary objects (refuse bins, lighting columns etc.);
- ii. planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate;
- iii. an accurate plot of all trees to be retained and to be lost. Any trees to be lost shall be replaced on a favourable basis (a two-for one basis unless circumstances dictate otherwise and agreed in advance);
- iv. details of any proposed boundary treatment, including retaining walls and;
- v. a landscape management scheme.

The approved hard and soft landscaping scheme (including parking) for the whole site shall be carried out prior to occupation of the building or during the first planting season following the full completion of building works, whichever is sooner. The approved scheme implemented shall be maintained for a minimum period of 5 years following its complete provision.

Any trees, shrubs, seeded or turfed areas which die, fail to establish, are removed or become damaged or diseased, within a period of 5 years from the date of planting shall be replaced by the Developer in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation. The Developer shall be responsible for any replacements for a period of 5 years from the date of planting.

Reason:

To improve the appearance of the site and enhance the character of the development in the interests of visual amenity, to ensure that the development makes a positive contribution to the local environment and, in accordance with the duty required of the Local Planning Authority by Section 197 of the Town and Country Planning Act 1990

05. APPROVAL CONDITION - Slow worm Method Statement [pre-commencement condition]

No development, including site clearance and preparation, shall take place until a method statement, detailing how slow worms will be protected during development, is submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed method statement.

Reason:

To ensure that slow worms, which are a protected species, are fully safeguarded from harm during site clearance and development.

06. APPROVAL CONDITION - Residential - Permitted Development Restriction
[Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking or re-enacting that Order, no building or structures within Schedule 2, Part 1, Classes as listed below shall be erected or carried out to any dwelling house hereby permitted without the prior written consent of the Local Planning Authority:

Class A (enlargement of a dwelling house), including a garage or extensions,

Class B (roof alteration),

Class C (other alteration to the roof),

Reason:

In order that the Local Planning Authority may exercise further control in this locality given the small private garden and amenity areas provided as part of this development in the interests of the residential amenity and the visual amenities of the area.

07. APPROVAL CONDITION - No other windows or doors other than approved
[Performance Condition]

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, doors or other openings, other than those expressly authorised by this permission, shall be inserted above ground floor level in the side elevations of development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To protect the amenities of the adjoining residential properties.

08. APPROVAL CONDITION – Obscure Glazing [Performance Condition]

All windows in the side elevations, located at first floor level and above, of the development hereby approved, shall be obscure glazed and fixed shut up to a height of 1.7 metres from the internal floor level before the development is first occupied. The windows shall be thereafter retained in this manner.

Reason:

To protect the amenity and privacy of the adjoining property.

09. APPROVAL CONDITION - Amenity Space Access [Pre-Occupation Condition]

Before the development hereby approved first comes into occupation, the external amenity space and pedestrian access to it, shall be made available in accordance with the plans hereby approved. The amenity space and access to it shall be thereafter retained for the use of the dwelling.

Reason:

To ensure the provision of adequate amenity space in association with the development.

10. APPROVAL CONDITION – Energy & Water [Pre-Commencement Condition]

Before the development commences, written documentary evidence demonstrating that the development will achieve at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of a design stage SAP calculations and a water

efficiency calculator shall be submitted to the Local Planning Authority for its approval, unless an otherwise agreed timeframe is agreed in writing by the LPA.

Reason:

To ensure the development minimises its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

11. APPROVAL CONDITION – Energy & Water [performance condition]

Within 6 months of any part of the development first becoming occupied, written documentary evidence proving that the development has achieved at minimum 19% improvement over 2013 Dwelling Emission Rate (DER)/ Target Emission Rate (TER) (Equivalent of Code for Sustainable Homes Level 4 for Energy) and 105 Litres/Person/Day internal water use (Equivalent of Code for Sustainable Homes Level 3/4) in the form of final SAP calculations and water efficiency calculator and detailed documentary evidence confirming that the water appliances/fittings have been installed as specified shall be submitted to the Local Planning Authority for its approval.

Reason:

To ensure the development has minimised its overall demand for resources and to demonstrate compliance with policy CS20 of the Local Development Framework Core Strategy Development Plan Document Adopted Version (January 2010).

12. APPROVAL CONDITION - Surface / foul water drainage [Pre-commencement Condition]

No development approved by this permission shall commence until a scheme for the disposal of foul water and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details and be retained as approved.

Reason:

To ensure satisfactory drainage provision for the area.

13. APPROVAL CONDITION - Refuse & Recycling [pre-occupation condition]

Before the development first comes into occupation, storage for refuse and recycling shall be provided in accordance with the plans hereby approved and thereafter retained for that purpose.

Reason:

In the interests of the character and appearance of the area, residential amenity and the safety and convenience of the users of the adjoining highway.

14. APPROVAL CONDITION - Cycle Storage [pre-occupation condition]

Before the development hereby approved is first occupied secure and covered storage for cycles shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:

To encourage cycling as a sustainable alternative mode of travel.

15. APPROVAL CONDITION - Hours of work for Clearance and Construction

[Performance Condition]

All works relating to the demolition, clearance and construction of the development hereby granted shall only take place between the hours of;

Monday to Friday 08:00 hours to 18:00 hours (8.00am to 6.00pm)

Saturdays 09:00 hours to 13:00 hours (9.00am to 1.00pm)

And at no time on Sundays and recognised public holidays.

Any works outside the permitted hours shall be confined to the internal preparations of the buildings without audible noise from outside the building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of the occupiers of existing nearby residential properties.

16. APPROVAL CONDITION - Construction Environment Management Plan (Pre-Commencement Condition)

Prior to the commencement of any development a written construction environment management plan shall be submitted to and approved by the LPA. The plan shall contain method statements and site specific plans to prevent or minimise impacts from noise, vibration, dust and odour for all operations, as well as proposals to monitor these measures at the site boundary to ensure emissions are minimised beyond the site boundary. All specified measures shall be available and implemented during any processes for which those measures are required.

Reason:

To protect the amenities of the occupiers of existing nearby properties.

17. APPROVAL CONDITION - Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

For the avoidance of doubt and in the interests of proper planning.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS4	Housing Delivery
CS6	Housing Density
CS13	Fundamentals of Design
CS16	Housing Mix and Type
CS18	Transport: Reduce-Manage-Invest
CS19	Car & Cycle Parking
CS20	Tackling and Adapting to Climate Change
CS21	Protecting and Enhancing Open Space
CS22	Promoting Biodiversity and Protecting Habitats
CS25	The Delivery of Infrastructure and Developer Contributions

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP4	Development Access
SDP5	Parking
SDP7	Urban Design Context
SDP9	Scale, Massing & Appearance
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP12	Landscape & Biodiversity
SDP13	Resource Conservation
SDP14	Renewable Energy
H1	Housing Supply
H7	The Residential Environment
TI2	Vehicular Access

Supplementary Planning Guidance

Residential Design Guide (Approved - September 2006)

Parking Standards SPD (September 2011)

Other Relevant Guidance

The National Planning Policy Framework (2012)

The Southampton Community Infrastructure Levy Charging Schedule (September 2013)

Relevant Planning History

881276/E **Conditionally Approved 31.08.1988**
Erection of a detached dwelling and construction of new access

882104/E **Conditionally Approved 24.10.1988**
Erection of a 3-bedroom detached dwelling and construction of a new access

941026/E **Conditionally Approved 04.10.94**
Erection of a 3-bedroom detached dwelling with integral garage

02/01636/FUL **Refused 01.04.03**
Erection of a detached property with integral garage

For the following reasons:

01. The proposal would result in vehicles either reversing onto or off the site onto Athelstan Road, a classified road to the detriment of the safety and convenience of other highway users. The proposal is therefore contrary to the provisions of policies GP1 (x), GP1 (xiii), (xiv) and T2 of the City of Southampton Local Plan (1991-2001) and policy SDP 1 and TI 3 of the City Local Plan Review Second Deposit Version (February 2003).

02. The application is in respect of land which is potentially unstable and the applicants have not demonstrated that the proposals would not result be affected by instability originating outside of the application site boundaries.

03. Inadequate visibility splays are provided at the junction of the access with the highway and this would cause danger and inconvenience to users of the adjoining highway. The proposed is thereby contrary to Policy GP1 (xiii), (xiv) of the City of Southampton Local Plan and Policy SDP3 of the City of Southampton Local Plan Second Deposit Version (February 2003).

04. The proposed raised terrace area would result in an unneighbourly form of development leading to a loss of amenity and privacy for the adjoining residents at 153 Athelstan Road. The proposal is thereby contrary to policies GP1 (i) of The City of Southampton Local Plan and policies SDP1 and SDP7 of the City of Southampton Local Plan Second Deposit Version (February 2003).

05/01620/FUL **Refused 11.01.06**
Erection of detached dwelling.

For the following reasons:

01. The proposed dwelling, by reason of its height, scale, plot coverage and design would be out of keeping with the established pattern of development in the immediate vicinity of the site and would be detrimental to the character of the area and the amenities of adjacent occupiers. The proposal is therefore contrary to Policy GP1 and H12 of the City of Southampton Local Plan (1991-2001) and Policies SDP1, SDP7 and H10 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

02. The proposed dwelling provides insufficient private amenity space for future occupiers of a 6 bedroomed detached dwelling contrary to the requirements of Policy H12 of the City of Southampton Local Plan (1991-2001) Policy H10 of the City of Southampton Local Plan

Review - Revised Deposit Version Feb 2003 and Supplementary Planning Guidance set out in the Residential Standards Development Control Brief 1989.

03. The application is in respect of land which is potentially unstable and the applicants have not demonstrated that the proposal would not result in or be affected by instability originating outside of the application site boundaries. The proposal is contrary to the requirements of Policy SDP23 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003 and guidance set out in PPG.14.

04. The proposal would result in direct overlooking of adjacent garden areas resulting in loss of privacy to the harm of amenities currently enjoyed by adjacent occupiers. The proposals are therefore contrary to the requirements Policy GP1 (i) of the City of Southampton Local Plan (1991-2001) and Policy SDP1 (i) of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

05. Notwithstanding the above, the applicant has not indicated the gradient of the access from the highway to the property and has therefore failed to demonstrate that the access arrangements for all users are safe and convenient as required by SDP4 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

06. The applicant has failed to demonstrate that adequate visibility splays can be achieved for vehicles leaving the site. Given the proximity of the site across to the mini-roundabout at the junction of Athelstan Road and Peartree Avenue and the steep gradient of Athelstan Road, sub-standard visibility splays would prejudice highway safety contrary to Policies GP1 (xiii) and GP1 (xiv) of the City of Southampton Local Plan (1991-2001) and Policy SDP3 of the City of Southampton Local Plan Review - Revised Deposit Version Feb 2003.

14/02023/FUL

Refused 20.02.15

Erection of a 2-storey, 3-bed detached house with associated parking and formation of new vehicular access

For the following reasons:

01. Out of character

The proposal, by reason of the design, plot size and site coverage would represent a cramped form of development which would be out of keeping with the established context and character of the surrounding area contrary to saved Policy SDP9(i) of the City of Southampton Local Plan Review (Adopted March 2006).

02. Highway Safety

The applicant has failed to demonstrate that adequate sightlines can be achieved for vehicles leaving the site. Given the proximity of the site access to the mini-roundabout at the junction of Athelstan Road and Peartree Avenue, the levels of the site and the steep gradient of Athelstan Road, sub-standard sightlines would be detrimental to highway safety. As such the proposal would be contrary to saved Policy SDP1 (i) of the adopted City of Southampton Local Plan Review (2006).

03. Land Stability

The application site is in an area of potentially unstable land and the applicants have not provided any information to demonstrate that land stability issues can be adequately addressed. Consequently, the proposal would be contrary to the requirements of Policy SDP23 of the City of Southampton Local Plan Review (March 2006) and the advice in the National Planning Practice Guidance (March 2014).

04. Lack of Section 106 or unilateral undertaking to secure planning obligations. In the absence of a completed Section 106 legal agreement or unilateral undertaking to support the development the application fails to mitigate against its wider direct impact with regards to the additional pressure that further residential development will place upon the Special Protection Areas of the Solent Coastline. Failure to secure mitigation towards the 'Solent Disturbance Mitigation Project' in order to mitigate the adverse impact of new residential development (within 5.6km of the Solent coastline) on internationally protected birds and habitat is contrary to Policy CS22 of the Council's adopted LDF Core Strategy as supported by the Habitats Regulations.

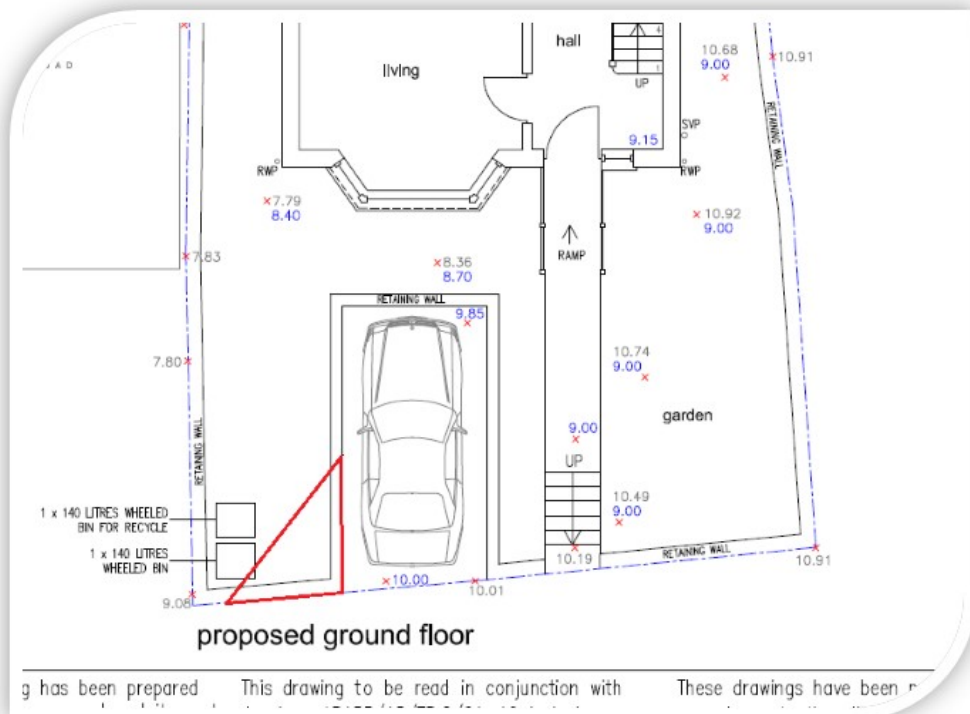
Highways Development Management Response

Regarding application 15/01346/FUL, my comments are as follows:

The proposed access is located approximately 25m away from the roundabout just south of the site and is on the north side of Athelstan Road which means traffic from the roundabout will be travelling on the opposite lane of the site.

Many properties (including the adjacent property just north of the site) along Athelstan benefit from vehicular accesses which creates an environment where drivers are half expecting vehicles coming out of properties. Athelstan Road is fairly wide (approximately 8.3m) compared to general road widths and when you include the extra space from the footway, a vehicle could turn out of the site either without or just barely affecting the other lane.

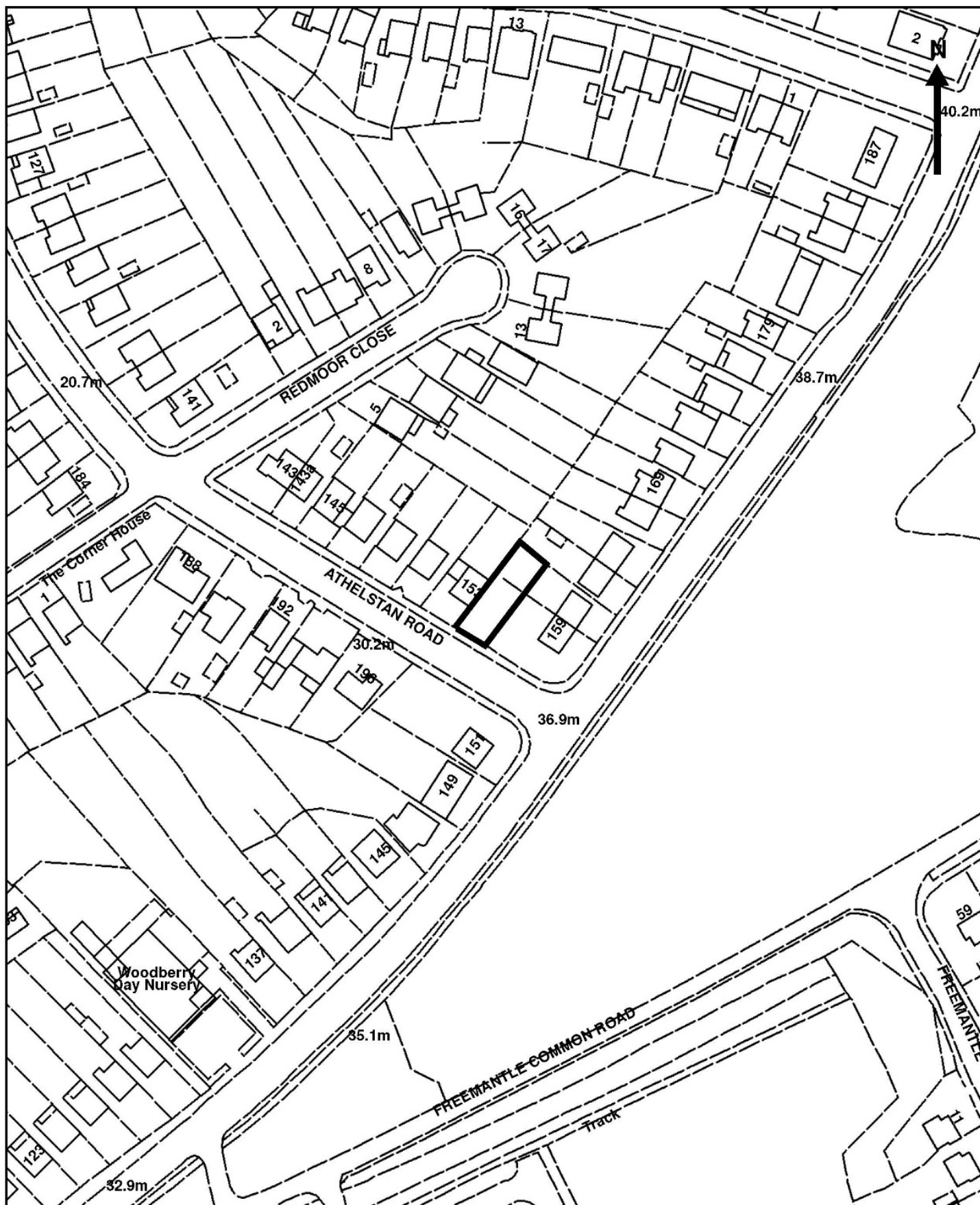
It is not clear from the plans whether the metal railings surrounds the entire parking space. It is not a public highway concern but is a concern for the property and residents safety. I would also recommend that additional areas to be raised to aid the turning movement of the car in and out of the space also – which in addition, will require less distance to turn out of the space (highlighted in red in sketch below). Or alternatively, widen the whole parking space to for example 3m.



Also, it is not clear how bins are being moved off the site. The refuse collectors should be able to access the bins either on level surface or via ramps at a suitable gradient. My suggestion would be to raise the section in between the parking space and the ramp towards the steps and have that area dedicated as a refuse collection point.

I will be recommending APPROVAL subject to the following conditions:

- Details of sightlines to be submitted and approved in writing by the local planning authority
- A waste management plan showing where refuse will be moved to on collection days and what the access arrangements for the refuse team are. Details to be submitted and agreed upon in writing by the local planning authority.
- U030 - No work shall be carried out on site unless and until provision is available within the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, for all temporary contractors buildings, plant and stacks of materials and equipment associated with the development and such provision shall be retained for these purposes throughout the period of work on the site. At no time shall any material or equipment be stored or operated from the public highway
- U020 - During the period of the preparation of the site, excavation for foundations or services and the construction of the development, wheel cleaning facilities shall be available on the site and no lorry shall leave the site until its wheels are sufficiently clean to prevent mud being carried onto the highway.



Scale: 1:1,250

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